

IMPERIALISM AND DEMOCRACY

UNIONIST PRINCIPLES
APPLIED TO MODERN
PROBLEMS

ARTHUR PAGE

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IMPERIALISM AND
DEMOCRACY

“People will not look forward to posterity who
never look backward to their ancestors.”

—EDMUND BURKE.

IMPERIALISM AND DEMOCRACY

UNIONIST PRINCIPLES APPLIED
TO MODERN PROBLEMS

BY

ARTHUR PAGE

OF THE INNER TEMPLE, BARRISTER-AT-LAW

AUTHOR OF THE 'LICENSING BILL, 1908. IS IT JUST?'

WITH AN INTRODUCTION

BY THE

RIGHT HON. J. AUSTEN CHAMBERLAIN, M.P.


William Blackwood and Sons
Edinburgh and London
1913



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TO
THE RIGHT HONOURABLE
SIR ROBERT BANNATYNE FINLAY,
P.C., G.C.M.G., K.C., M.P., &c.,

WITHOUT WHOSE KINDNESS AND ENCOURAGEMENT
THESE ESSAYS WOULD NOT HAVE BEEN WRITTEN.



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INTRODUCTION.

WE are living in the midst of revolution ; yet, because the revolution is peacefully conducted and cloaked in parliamentary forms, few among us realise how profound are the changes which have already taken place in our polity, or how far-reaching are the movements, both domestic and imperial, which are shaping themselves before our eyes.

In the following pages the Author reviews some of the leading controversies of the past few years, and seeks to disentangle permanent tendencies from their passing phenomena, and to establish principles which may serve to guide us through the uncharted seas of novel problems in social, national, and imperial life. To this task he brings a mind

prepared by careful study, a clear and easy style, and solid argumentative power. With all his conclusions the reader may not agree ; but if he be interested in the right settlement of the great questions which confront the Englishman of to-day, he will welcome this study of "Unionist Principles applied to Modern Problems."

AUSTEN CHAMBERLAIN.

Feb. 1, 1913.

N O T E.

The principles enunciated in Chapters I. to VI. have appeared in articles published during the last few months in 'Blackwood's Magazine,' and the substance of Chapter VIII. in the 'National Review.'

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I.

IMPERIALISM IN THE FUTURE

“My policy for the Empire is each for all, and all for each.”

—J. CHAMBERLAIN.

“I do not much like Imperialism of any kind.”

—SIR HENRY CAMPBELL-BANNERMAN.

“How long halt ye between two opinions?”

IMPERIALISM IN THE FUTURE.

THOSE who aspire to be statesmen must not shrink from the responsibilities of leadership. That opportunism is not statesmanship is a saying trite enough, but a demagogue has his own views on the subject. The demagogue sets himself to follow public opinion; he is content to leave to statesmen the more invidious task of forming it, and no doubt he is wise in his generation. Nay, more, if he is prudent enough to bring his active political life to a close before he is found out, his career may sometimes even be termed successful; and in any event such an one probably has little to lose, either in pocket or in reputation. A demagogue is dangerous, not because his shallow outlook will escape detection,—for no one can “fool

all the people all the time,"—but because he may do irreparable mischief while his ascendancy lasts. Who can tell where the oratory of a Cleon, a Lloyd George, or a Tillett may lead an excitable and unenlightened proletariat!

The feckless and petty egoism, euphemistically termed "the sovereignty of the personality," which to-day permeates every class of the community, and which always accompanies indifference to Christian ideals, may to a large extent be traced to the appeals which Radical and Socialist demagogues make to selfishness and class hatred. At the same time, would it be true to say that Unionists are altogether without blame in the matter? Has Unionist policy in the last few years been wholly uninfluenced by the spirit of opportunism? Why did the House of Lords pass the Trade Disputes Bill of 1906? Why did the Opposition leaders bestow so elaborate a blessing upon the newly introduced Insurance Bill? Why, again, did the majority of Unionist Peers refuse to reject the Parliament Bill? Was

it because these measures met with their approval, or because in each case the bolder course was considered to be "bad tactics"? The reason is obvious enough. In like manner, it is frequently urged that the policy of Imperial Preference ought to be dropped, not because those who advise its abandonment do not believe that the principle which underlies it is sound, but because it is thought to be unpopular with the masses. Not by such methods did Mr Gladstone win, almost single-handed, the Mid-Lothian Campaigns of 1880 and 1885! If a sound policy is consistently propagated it will assuredly prevail; but it is equally certain that in politics, as in courtship, the victor's palm never has fallen, and never will fall, to those who show either hesitation or faintness of heart. A great programme invites, and will certainly meet with opposition, but surely upon that ground alone it is not justifiable to abandon it. "Obstacles were made," as Mr Chamberlain once pointed out, "for statesmen to overcome them," but to court expediency is to

court disaster. Is there not ground for thinking that some Unionists are not unwilling to sacrifice in part a policy in which they believe, if only they may thereby be enabled to "dish the Government"? There can be but one end to such a course. Flirting is a fascinating pastime, but it cannot be indulged in without danger, especially when one's heart is already given to another. If Unionists really believe in their principles they will no longer dally with "strategy" or "tactics." Let their leaders here and now think out an Imperial programme, and let its details be put before the people. The programme of Imperialists has up till now been far too vague and general. It has been urged with irritating persistency that the electors must be content with a bare outline of policy until a change of Government has taken place; and in normal circumstances, no doubt, a wise doctor will refuse to give advice until he is called in. In critical cases the summons may come too late.

New symptoms have developed with startling rapidity in the organism of the

British Empire which call for drastic and immediate treatment, and in the new Imperialism Unionists possess a sovereign remedy. But it must be applied forthwith and without flinching. Further delay will spell disaster. "You have an opportunity; you will never have it again." It is surely the duty of the Unionists leaders at least to publish their prescription with all possible despatch, for the future of the Empire is hanging in the balance. The adoption of such a course would provoke criticism, but it would also inspire confidence, and the event would demonstrate that on this, as on many another occasion, "the path of boldness is the path of safety."

What are the facts of the present situation? The first and fundamental fact is that Imperialism has lost the meaning which it formerly bore. The word "Empire" has hitherto been understood to denote "an aggregate of subject territories ruled over by a sovereign State,"¹ but in this sense the British Empire, except in its relations with India and the Protectorates, has ceased to

¹ A definition given in Murray's dictionary.

exist. In theory, no doubt, the British Parliament still retains its supreme authority throughout the King's Dominions, but in substance the self-governing Dominions are to-day independent nations, and Canada, Australia, South Africa, and New Zealand claim from the mother country a recognition of their power and their responsibilities. "We are a nation," Sir Wilfrid Laurier stated on January 6, 1910. "We feel that we are a nation. We have a population of over 7,000,000. We have practical control of our foreign relations. We have command of our own forces. Our country is the finest in the world. We are under the suzerainty of the King of England. We are his loyal subjects. We bow the knee to him; but the King of England has no more rights over us than are allowed him by our own Canadian Parliament. If this is not a nation, what, then, constitutes a nation? And if there is a nation under the sun which can say more than this, where is it to be found?" The claim of the Dominions to administer their internal affairs without let or hindrance was expressly admitted by Mr Asquith at the

Imperial Conference of 1911: "Whether in the United Kingdom or in any one of the great countries which you represent, we each of us are, and we intend to remain, master in our own household. This is here at home, and throughout the Dominions, the life-blood of our polity. It is the *articulus stantis aut cadentis Imperii*."

"Daughter no more but sister, and doubly daughter so."

The realisation of their nationality has burst upon the Dominions with amazing suddenness. Twelve years ago the Commonwealths of Australia and South Africa did not exist, yet to-day they glow with national enthusiasm, and are eager to take up the burden of national obligations. "But we cannot have absolute autonomy and remain in the Empire," said Mr Foster, M.P., on January 10, 1910.

The whole world, with the sole exception of Great Britain, is conscious of the advent of a political phenomenon at once perplexing and unprecedented. Are the only alternatives before the Dominions separation or

submission? Can no *via media* be discovered? That is the question which the nations of Europe are asking, and that is the problem which the leaders of the Unionist Party are called upon to tackle and to solve!

The second fact is that Great Britain is no longer able to bear alone the burden of Imperial Defence. The seriousness of the naval position of Great Britain cannot be overrated. Over £40,000,000 are expended annually on the Navy, and yet so far from building two keels to one—that principle was long ago abandoned by his Majesty's present advisers—it is now only possible for Great Britain to maintain a 60 per cent margin over Germany in the North Sea by abandoning the control of the Mediterranean. In 1915 Great Britain will have 33 Dreadnoughts in the North Sea and Germany 29, and even this precarious margin—which a single storm might dissipate—is only made possible by the withdrawal of the whole of the Atlantic Squadron from Gibraltar, and, in addition, two out of six vessels that are stationed at Malta. The Atlantic and the

Mediterranean are to be protected in the future by the four remaining ships of the Mediterranean Squadron, reinforced within the next two years by four new vessels of the Invincible class. The First Lord of the Admiralty of to-day claims for Great Britain superiority, but not supremacy, at sea—*Quantum mutatus ab illo!* Moreover, the Government do not pretend that they have taken into account the position of Italy and Austria, which at present do not possess any battleships of the highest grade, but which in 1915 will have put upon the water six and four Dreadnoughts respectively. Mr Churchill, discussing the German Estimates in the House of Commons on July 22, 1912, stated that “the law of 1898 was practically doubled by the law of 1900; but if the expenditure contemplated by the law of 1900 had been followed, the German Estimates of to-day would have been £11,000,000. Owing to the amendments of 1906 and 1908, and now of 1912, the expenditure is very nearly £23,000,000.” But Navies are neither built nor manned in a day. “Cool, steady, methodical preparation, pro-

longed over a succession of years," said Mr Churchill, "can alone raise the margin of naval power." It is to be hoped that Mr Borden's warning will not fall upon deaf ears : "The day of peril is too late for preparation." Who can doubt, unless adequate steps are taken forthwith to provide for the future defence of the Empire, that the aspirations of Germany set out in the preamble of the German Naval Act of 1900 will be on the highroad to fulfilment? "In the present state of things there is only one way of protecting Germany's commerce and Colonial possessions. Germany must possess a fleet of such strength that war with her would shake the position of even the mightiest Naval Power." The matter is urgent, and will not brook delay.

The third fact is that the United Kingdom is not able to supply itself with the necessities of life. She must import an overwhelming proportion of her food-supplies, for which she should pay by the exportation of her manufactures. But where must Great Britain look in the future for a constant supply of food-stuffs and expanding markets for her

manufactures? The answer in each case is the same—the Overseas Dominions of the Crown. The annual trade statistics, issued in June 1912 (C.D. 6216), provide remarkable evidence of the trend of British trade.

IMPORTATION OF WHEAT.

1907.	1911.
Foreign Countries.	Foreign Countries.
57,314,200 cwt.	48,891,349 cwt.
British Possessions.	British Possessions.
39,853,800 cwt.	49,176,438 cwt.

EXPORTS OF MANUFACTURES FROM UNITED KINGDOM.

1907.	1911.
Foreign Countries.	Foreign Countries.
£218,178,986.	£221,838,652.
British Possessions.	British Possessions.
£123,260,525.	£140,383,975.

Mr Foster, the Canadian Minister of Commerce, said at the Constitutional Club on July 2, 1912: "It is not too much to say that in five years from now the surplus wheat raised in those three prairie provinces of Manitoba, Saskatchewan, and Alberta will be sufficient to give five or six bushels of flour a-year to every family of five persons in the United Kingdom." And again, at the Fish-

mongers' Hall on June 12: "What will Canada be fifty years from now? To-day we have 7,000,000 of people. Last year 354,000 people came in as emigrants and settled in Canada; we took 138,000 from Great Britain, 132,000 from the United States, and nearly 80,000 from the rest of the world—making a grand total of 350,000. This year the number will be at least 400,000. If the aspect of Canada, as evidenced between the periods of 1867 and 1912, is different, how much more different will be the aspect of Canada in relation to this Empire when her population has grown from 7,000,000 to 40,000,000 or 50,000,000 of people. This thought impresses itself upon me. Ought we not to be thinking about it: men in the United Kingdom, men in Canada, and men in the Overseas Dominions?" And what is true of Canada is *cæteris paribus* true also of Australia, South Africa, and New Zealand.

The fourth fact is that the Overseas Dominions are not prepared to share with Great Britain the burden of Imperial Defence unless and until the mother country

is willing to grant to each of the Dominions a proportionate share of control over the foreign policy and the Naval Defence of the Empire. Upon this matter the self-governing Dominions have definitely made up their minds. Australia, New Zealand, and South Africa in recent years have contributed a large sum in cash towards the cost of Imperial armaments. It must be clearly understood that in the future regular contributions on the same terms will not be forthcoming. "In Australia," said Mr Deakin, at the Colonial Conference of 1907, "for reasons which have already been put on record, the existing contribution has not proved generally popular. Further consideration has convinced the public that the present agreement is not satisfactory either to the Admiralty, the political or professional Lords of the Admiralty, or the Parliament of the Commonwealth." Mr Moore, of Natal, expressed a similar opinion. Canada has consistently refused to make any such contribution, because "the acceptance of the proposals would entail an important departure

from the principle of Colonial self-government" (Sir Wilfrid Laurier; Colonial Conference, 1902). The magnificent offer of £7,000,000 towards the Imperial Navy which Canada made on December 5, 1912, in no way affects the position which the Dominions have taken up. Mr Borden on that occasion said, "In presenting our proposals it must be borne in mind that we are not undertaking or beginning a system of regular or periodical contributions. I agree with the resolution of this House in 1909, that the payment of such contributions would not be the most satisfactory solution of the question of defence." Can any one doubt that Mr Foster was expressing the opinion of every Colonial patriot when he stated that cash contributions "bore the aspect of hiring somebody else to do what we ourselves ought to do? The interest that we take in a contribution spent by another is not the interest that I desire for Canada. I think that method ignores the necessities and the aspirations and the prospects of a great people such as the Canadian people are destined to become." It is high time that

the people of the mother country understood the facts, and made up their minds as to the future policy of Great Britain in relation to the self-governing Dominions. In Australia and in Canada national aspirations are growing apace, and projects for the construction of a separate Navy have been received in each Dominion with enthusiastic approbation. But the adoption of a scheme for a separate Navy in each Dominion would, beyond a shadow of doubt, tend to bring about disintegration, and not co-operation, within the Empire. "The aim of the Government in connection with Naval Defence," said Mr Pearce, Australian Minister of Defence, in his speech on the second reading of the Naval Defence Bill of 1910, "is that whilst the Navy we are establishing shall be in some respects separate from the British Navy, it shall at the same time be auxiliary to that Navy." The Defence Conference Memorandum of 1911 lays it down: (1) "That the Naval services and forces of the Dominions of Canada and Australia will be exclusively under the control of their re-

spective Governments," and (16) "In time of war, when the Naval service of a Dominion, or any part thereof, has been put at the disposal of the Imperial Government by the Dominion Authorities, the ships will form an integral part of the British Fleet, and will remain under the control of the Admiralty during the continuance of the war." But there is no obligation upon the Dominions to place a single vessel at the disposal of Great Britain in the event of war taking place. Nay, more, the main ground upon which Sir Wilfrid Laurier advocated a separate Navy for Canada was, that after the adoption of such a policy Canada would not necessarily be drawn into the vortex of European politics. During the Debate upon the Naval Bill (1909-1910) he stated his position in these memorable words: "It is a principal of International Law that when a nation is at war all her possessions are liable to attack. If England is at war she can be attacked in Canada, in Australia, in New Zealand, in Africa, in the West Indies, in India, and, in short,

anywhere where the British flag floats. . . . It does not follow, however, that because England is at war we should necessarily take part in that war. If England is at war we are at war, and liable to attack. I do not say that we shall always be attacked. Neither do I say that we would take part in all the wars of England. That is a matter that must be determined by circumstances upon which the Canadian Government will have to pronounce, and will have to decide in its own best judgment." Can any reasonable man believe that such a policy, if persisted in, will further the consolidation of the Empire? South Africa and New Zealand still possess an open mind upon this question, but while in Australia public opinion appears to be hardening in favour of a separate Navy, the accession to power of the Conservatives under Mr Borden has resulted in a reaction of opinion on the Navy question in Canada, and a further—it may well be a final—opportunity is given to Great Britain to enter into a business arrangement on co-operative lines with the Dominions for the

defence of the Empire by a single Imperial Navy. But it cannot be too often stated that no such scheme will prove acceptable to Canada which does not provide that the Dominions shall be granted a proportionate share of control over Imperial policy in naval and foreign affairs. "No man in this House, or in this country," said Mr Borden, in the Canadian House of Commons, on March 18, 1912, "need disguise from himself the fact that if the various Dominions of the Empire do enter into a system of Naval Defence which shall concern and belong to the whole Empire, those Dominions, while that system continues, cannot very well be excluded from having a greater voice in the Councils of the Empire than they have had in past years." Truly this problem involves "large and wide considerations," and it is essential that the people of Great Britain should realise the position in which they are placed. Forty years ago Mr Disraeli, with characteristic perspicacity, foresaw and foretold the course of Imperialism in the future. "The time is at hand, at least it cannot be

far distant," he said in 1872, "when England will have to decide between national and cosmopolitan principles." The hour has now arrived when a decision must be reached in the light of the facts as they exist to-day, and after full consideration of all the circumstances. "The issue is not a mean one. It is whether you will be content to be a comfortable England, modelled and moulded upon Continental principles, and meeting in due course an inevitable fate, or whether you will be a great country, an Imperial country, a country where your sons, when they rise, rise to paramount positions, and obtain not merely the esteem of their countrymen, but command the respect of the world."

Is the Empire worth keeping, or is it not? The consistent and emphatic opinion of Radicals has always been that it is not. It is the duty of Imperialists to let the people labour under no misapprehension on this point. "If you look to the history of this country since the advent of Liberalism forty years ago," said Mr Disraeli at the Crystal Palace on June 24, 1872, "you

will find that there has been no effort so continuous, so subtle, supported by so much energy, and carried on with so much ability and acumen, as the attempts of Liberalism to effect the disintegration of the Empire of England. I cannot conceive how our distant Colonies can have their affairs administered except by self-government. But self-government, in my opinion, when it was conceded, ought to have been conceded as part of a great policy of Imperial consolidation. It ought to have been accompanied by an Imperial tariff, by securities for the people of England enjoying the unappropriated lands which belonged to the Sovereign as their trustee, and by a military code which should have precisely defined the means and the responsibilities by which the Colonies should be defended, and by which, if necessary, this country should call for aid from the Colonies themselves. It ought, further, to have been accompanied by some representative council in the metropolis which would have brought the Colonies into direct and continuous relations with the Home Government. All

this, however, was omitted because those who advised that policy—and I believe their convictions were sincere—looked upon the Colonies of England, looked upon our connection with India, as a burden to this country, viewing everything in a financial aspect, and totally passing by those moral and political considerations which make nations great, and by the influence of which alone men are distinguished from animals. Well, what has been the result of this attempt during the reign of Liberalism for the disintegration of the Empire? It has entirely failed. But how has it failed? Through the sympathy of the Colonies with the mother country. They have decided that the Empire shall not be destroyed; and in my opinion no Minister in this country will do his duty who neglects any opportunity of reconstructing as far as possible our Colonial Empire, and of responding to those distant sympathies which may become the source of incalculable strength and happiness to this land.”

It may be doubted whether a more memorable political utterance, or a more

prophetic one, has ever been delivered. The old-time Liberal view was accurately expressed by Mr Cobden in a letter written in 1842: "The Colonial system, with all its dazzling appeals to the passions of the people, can never be got rid of except by the indirect process of Free Trade, which will gradually and imperceptibly loosen the bonds which unite our Colonies to us by a mistaken notion of self-interest." Has the intervening period of seventy years wrought any change in the Radical attitude towards the British Empire? Has it in any way modified Radical antagonism to the bonds which unite the mother country to the Dominions across the seas? The action of the British Parliament during the recent negotiations with regard to Reciprocity in trade between Canada and the United States demonstrates that present-day Radicals attach no whit more value to the maintenance of the Empire than did their predecessors in 1842. If the Reciprocity Agreement had been ratified, it is now known, from President Taft's letter to Mr Roosevelt, that, in his view, Canada would

in time have become an "adjunct of the United States." "I am for it," said Mr Champ Clark, the leader of the Democratic Party in the House of Representatives, on February 14, 1911, "because I hope to see the day when the American flag will float over every square foot of the British North American possessions clear to the North Pole. *I have no doubt whatever that the day is not far distant when Great Britain will joyfully see all her North American possessions become part of this Republic. That is the way things are tending now.*" What is the opinion of Mr Bryce, the British Ambassador at Washington: "As regards Canada herself, her material growth might possibly be quickened by Union, and had the plan of a Commercial League, or Customs' Union, formerly discussed, been carried out, it might have tended towards a political Union."—('American Commonwealth,' 1910, vol. ii. p. 571.) Lord Haldane expressed the views of his Majesty's Government on the subject in the House of Lords on May 18, 1911, as follows: "The noble

Earl seems to think that the British Government throughout these negotiations have been sitting with hands folded, doing nothing. In one sense they have done nothing. They have not interfered, but they have been cognisant at every turn of what has taken place. I doubt whether any negotiations have been more closely watched, or *more sympathetically observed*. . . . The policy of the Government is to give every facility to Sir Wilfrid Laurier and the people of Canada to do the best they can for themselves to enter into this Agreement, and as they think, and we believe, to take thereby the best step they can for the development of Canada." Further, who was appointed to offer "every facility" on behalf of his Majesty's Government to bring about the Reciprocity Agreement? Mr Bryce, the man in whose opinion a commercial Union would tend to promote political Union between Canada and the United States, and, as a necessary consequence, the disintegration of the British Empire! No wonder that Mr D. A. Thomas, a Liberal M.P., suggested in 1906 that the Liberal Imperial

League (which had been formed in 1902 under Lord Rosebery's auspices to "further every substantial attempt to cement the Empire") should be dissolved, on the ground that "the bulk of the prominent members of the organisation are now members of the Government, and presumably, therefore, have abandoned its policy." No wonder that this League, the ewe lamb of Radical Imperialism, should have ended a pitiful struggle for existence on May 31, 1910, unwept for and unsung! It is to the Unionist Party alone that the people of Great and Greater Britain must look for a scheme by which the Imperial problem can be solved. Why is no declaration of policy forthcoming? Has the doctor no remedy to offer, or is the remedy to be withheld until the crisis is over one way or the other? Let the Unionist Party beware lest the summons come too late!

It is well to think the matter out. Naval Defence is the keynote of the situation. If it is true to assert that under the conditions which prevail in Europe the current expenditure upon naval armament is the

minimum, and not the maximum, which it is incumbent upon Great Britain to incur, *having regard solely to her national interests, and apart altogether from her Imperial obligations*, then it follows from what has been already stated that not only the maintenance of the Empire, but the very existence of Great Britain as a European Power, is contingent upon the adoption of a scheme of copartnership in Naval Defence between Great Britain and the self-governing Dominions. Yet the statement is beyond controversy true. What is the primary purpose for which the British Navy is maintained? Not, certainly, for projects of aggression, nor even to defend the shores of Great Britain from invasion. It is to protect the trade-routes of her food-supplies and the carrying trade of her manufactures. Whether Great Britain possesses an Empire or not, in either case her food-supplies must be secured. Once let her lose her supremacy at sea, and starvation will render invasion unnecessary. And yet it is quite clear that she cannot alone maintain an unchallengeable Navy! If, then, her political

and commercial existence is dependent upon the willingness of the Dominions to bear each its share of the burden of Imperial Defence, is it unreasonable or undemocratic that the Dominions should claim an adequate share of control over foreign and Imperial affairs, and is it fair to ask the self-governing Dominions to remain any longer bound by commercial treaties in negotiating which they were not consulted? "If Canada and the other Dominions of the Empire are to take their part as nations of this Empire in the defence of the Empire as a whole," said Mr Borden on November 24, 1910, "shall it be that we, contributing to that defence of the whole Empire, shall have as citizens of this country absolutely no voice whatever in the councils of the Empire touching the issues of peace or war throughout the Empire? I do not think that such would be a tolerable condition. I do not believe the people of Canada would for one moment submit to such a condition. Shall members of this House, representative men, representing 221 constituencies in this country from the Atlantic to the Pacific,—

shall no one of them have the same voice with regard to those vast Imperial issues that the humblest taxpayer in the British Isles has at this moment? It does not seem to me that such a condition would make for the integrity of the Empire, for the closer co-operation of the Empire."

The characteristic genius of the British race has hitherto enabled it to adjust its policy to the ever-changing needs of the time. New circumstances have once again arisen, and it is the duty of British statesmen to find a new policy to meet them.

The new Imperialism is the principle of so uniting the different parts of the Empire, having separate Governments, as to secure that for certain purposes, such as foreign affairs, Imperial defence, international commerce, and postal communication, they shall be practically a single State. There is nothing new or unattainable in such a policy. What is novel is the coincidence of facts which for the first time in the history of the world has brought the policy within the reach of practical statesmanship. Adam Smith, who might

almost be called the father of modern Imperialism, wrote: "There is not the least probability that the British Constitution would be hurt by the Union of Great Britain with her Colonies. That Constitution, on the contrary, would be completed by it, and seems to be imperfect without it." —('Wealth of Nations,' Book iv., chap. 7.) And even Cobden, if he were alive, might find it difficult to reconcile some, at least, of his views on Imperial Federation with those entertained by "Little Englanders" to-day. "What is the reason," he said, on April 28, 1853, "that no statesman has ever dreamed of proposing that the Colonies should sit with the mother country in a common legislature? It was not because of the space between them, for nowadays travelling was almost as quick as thought, but because the Colonies, not paying Imperial taxation and not being liable for our debt, could not be allowed with safety to us, or with propriety to themselves, to legislate on matters of taxation in which they were not themselves concerned." *Tempora mutantur nos et mutamur in illis!*

Upon what lines must Imperial Federation in the future proceed? Many practical difficulties will no doubt present themselves, whatever the scheme may be that is suggested. But when once the principle of co-operation on equal terms has been conceded, these difficulties will be found to be neither so serious nor so stubborn as those which were overcome by the Federalists in America, in Germany, or in Austria-Hungary. The fatal policy adopted by Rome and Athens provides a warning to Little Englanders. God grant it may not provide the precedent for British policy in the future! So long as his Majesty's present advisers remain in power the matter must needs rest in abeyance, for your Radical is too narrow in outlook, too introspective in temperament, to be able to view the problem with understanding. Both Mr Asquith and Mr Churchill have recently suggested that by a more systematic use of the Committee of Imperial Defence, to which, as of course, the representatives of the Dominions would be invited, a solution of the problem might be found which would

prove acceptable to the self-governing Dominions; but, as Mr Asquith was careful to point out on May 25, 1912, "The functions of the Committee, on the one hand, have no reference to policy. The policy must be determined by the Cabinet. On the other hand, we are not in any sense an executive. Both as regards the Army and the Navy, the executive responsibility lies with the Secretary of State and the First Lord respectively. *It is not the business of the Committee of Imperial Defence to lay down principles of policy.*" No better illustration could be conceived of the failure of Radicalism to appreciate the aspirations of the Dominions! So long as the British Prime Minister lays it down that "the authority of the Government of the United Kingdom in such grave matters as the conduct of foreign policy, the conclusion of treaties, the declaration and maintenance of peace, or the declaration of war . . . cannot be shared," no progress can be made.

It is the right to co-operate, not the right to advise, which the Dominions claim, and with nothing else will they be satisfied.

Again, it is sometimes suggested that the problem could be solved by giving representatives of the Dominions seats in the Upper House of the British Parliament. But this proposal is obviously inconsistent with the admitted and indefeasible right of each unit in the Empire to administer its own internal affairs in its own way, and upon that ground alone the proposal must be rejected.

The true solution of the problem of Imperial Federation will probably be found in the election of an Imperial Council, similar in its constitution to the United Delegations of Austria and Hungary, to which would eventually be committed the administration of all "common affairs" within the Empire. It may not be easy to predict the future destiny of Austria-Hungary, but it may at least be asserted that the political clouds which hang over the dual Monarchy are due to racial antipathies, and not in any way to the administration of their "common affairs" by the United Delegations, which, admittedly, have done their work extremely well. The system under which the "common

affairs" of Austria-Hungary are administered could, without serious difficulty, be adapted to the needs of the British Empire. Members of the Imperial Council might be appointed by the legislatures of each unit within the Empire from among its own elected members, and members of the Imperial Council would be liable to be dismissed from office at the pleasure of the legislature which appointed them. The number of the representatives of each unit would bear the same proportion to the total number of members as the population of the unit might bear to the whole population of the Empire; or the representation of each unit might be in the same ratio to the total representation of the Empire as the produce of its Imperial taxes might bear to the total Imperial revenue. The members of the Imperial Council would work through an executive appointed either by the Crown or by the Imperial Council itself from amongst its members, and the Acts of the executive would require for their validity the ratification of the Imperial Council. There is no doubt in an Imperial Council

constituted in this form that the representatives of the United Kingdom (which would constitute one unit) would largely predominate, but of that the Dominions could not reasonably complain, for their representation on the Imperial Council would increase in direct ratio with their future development. To the Imperial Council constituted in this manner would be intrusted the administration of foreign affairs and matters of Imperial defence, both of which subjects by general consent of all parties ought to be lifted above party politics. Each unit would be free to raise its own quota of Imperial taxation in its own way. If it be asked whether the Imperial Council would be granted coercive power to impose its decrees upon recalcitrant members of the Imperial Federation, the answer will be that as such a scheme as is here outlined could only be inaugurated with the consent of all the units of the Confederation, each unit would be free to abandon its position within the Empire, but that, while it would probably be inadvisable, at all events at the outset, to invest the Imperial Council with

coercive powers, it would in practice be found impossible for any Dominion to refuse to raise its contribution towards the cost of an Imperial or a defensive programme which its own representatives had had a real voice in framing. The same difficulty presented itself to the promoters of the American and German Federations, and was in each case satisfactorily overcome. Moreover, the alternative open to a seceding Dominion would be far from exhilarating, and must be borne in mind, namely, separation without the possession of adequate means whereby either its trade or its territory could be protected! Such, in bare outline, must be the framework of the Imperial Federation in the future. But it would be idle to suggest that Imperialists are prepared to limit the policy of Imperial Federation to foreign affairs and Naval Defence. They realise with Mr Bonar Law that "there could never be co-operation in war unless there first had been co-operation in peace," and they look forward to the time when commercial intercourse within the Empire shall be wholly free and untrammelled by tariff restrictions,

and when the Imperial Council will be intrusted with the regulation of external trade relations as one of the "common affairs" of the Empire. That is the scheme of Imperial Federation which was first propounded by Adam Smith. At the same time, while Imperialists recognise that the hour is not yet ripe for the full realisation of their Imperial policy, they hold that unless the policy of Imperial Preference is forthwith adopted as the first step towards free trade within the Empire, the whole fabric of the Empire will be put in jeopardy. That Imperial Preference would incalculably strengthen the manufacturing trade of Great Britain, and improve the condition of labour in this country, is abundantly proved by trade statistics, and the value to this country of Colonial Preferential Tariffs is admitted even by such staunch free-traders as Lord Cromer and Mr Asquith. That Imperial Preference would tend to lower the price of food-stuffs in this country is equally certain, for the wheat production of the world would thereby be stimulated and increased, unless,

indeed, the laws which govern supply and demand no longer obtain!

This, then, is the meaning of the new Imperialism, and upon these lines must the future programme of the Unionist Party be framed. To every man who loves his country, ay, and to every man who loves his pocket, such a policy most surely makes its appeal. It is seen that not only the maintenance of the Empire, but the very existence of Great Britain as a sovereign Power, is contingent upon the realisation of this scheme of Imperial Federation. But "time is of the essence" in this matter of Imperial Preference. "Is it not a mistake," as Mr Chamberlain once pointed out, "to keep your umbrella shut up until you are wet through?" It is sixteen years now since Canada first granted preferential duties to Great Britain, and to-day the war-clouds lower darkly on the horizon. Yet nothing has been done! How long is Great Britain to remain glum and unresponsive? "The issue," said Mr Borden on July 16, at the House of Commons, "is fraught with grave

significance for us, but with even deeper meaning for you. The next ten or twenty years will be critical in the history of the Empire; they may be even decisive of its future. God grant that whether we be of these Mother Islands or of the great Dominions beyond the Seas, we may so bear ourselves that the future shall not hold to our lips the chalice of vain regret for opportunity neglected and dead." Is it not time, then, that the Unionist Leaders formulated their Imperial Programme? We are told to "think Imperially," but it is important first of all to understand what Imperialism means. The old Imperialism spells chaos and disintegration, the new Imperialism consolidation and Peace!

"Wider still and wider shall thy bounds be set;

God, who made thee mighty, make thee mightier yet."

The policy of Imperialists will pass unscathed through the ordeal of financial criticism, for Imperial Preference is a business question. But it is also something

more, for under Imperial Federation alone can the British race work out its glorious destiny. "Civis Romanus sum" was a password which no one in ancient times could afford to disregard; why should not "Civis Britannicus sum" be its counterpart to-day?

To the true patriot Imperialism connotes not merely British commercial prosperity, but a World-wide Peace secured by the unassailable supremacy of the British Empire. The consummation of this policy would be the "crowning mercy" of Conservative statesmanship. The alternative is drift and national decay. The British race stands at the parting of the ways.

"Is it nothing to you, all ye that pass by?"

II.

THE CONSTITUTION UNDER CROMWELL AND UNDER ASQUITH

“I tell you that unless you have some such thing as a balance, we cannot be safe. By the proceedings of this Parliament, you see they stand in need of a check or balancing power. . . . This instrument of government will not do your work.”—OLIVER CROMWELL.

THE CONSTITUTION UNDER CROMWELL AND UNDER ASQUITH.

THE complacency with which Englishmen have allowed themselves to be saddled during the last seven years with ever-increasing burdens and disabilities must fill all reflective students of politics with amazement and misgiving. It is sometimes asserted that Englishmen take their pleasures sadly. Whether that be so or not, it cannot be denied that nowadays they take their politics lightly. Energy, it is true, they possess in abundance. Much solid work, too, is no doubt got through; but Englishmen more often than not devote their time and labour to a business or profession, not that they may excel in their life's work, but that they may the sooner retire and be at rest. The same spirit

permeates all classes of the community, and from every side the cry goes up for shorter hours and higher pay. It is not to be expected, in such circumstances, that much attention will be paid to the fundamentals of business or politics, and so it happens that the better educated Englishman usually takes more interest in the vicissitudes of a Test Match than in the progress of a Bill through Parliament, and political opinions are, for the most part, adopted as they appear ready-made in the public press, and are seldom the outcome of individual analysis and judgment.

The Proletariate, on the other hand, always sensitive to the currents of thought which stir the hearts and minds of an intellectual order external and superior to itself, and now at length awakening to a realisation of its possibilities and of its power, is found to be peculiarly receptive of the new moral and political theories which are being so sedulously propagated. Moreover, Democracies, like armies, are strangely influenced by the example of their leaders, and throughout the ages the spirit of patriotism has

been kindled and kept aglow by the devoted efforts of individual enthusiasts. A nation is not more patriotic than its leaders, and, as Lord Morley has recently pointed out at Manchester, "The star of strength and greatness rises or sinks in a State according to the proportion in its numbers of men and women with courage, energy, will, and open, supple, teachable intelligence, and possessing the power of making their qualities effectively felt."

The Roman Empire crumbled away because the people failed to realise the meaning of Imperialism. The Roman people in the end refused even to fight their own battles, and gave their whole minds to attain "panem et circenses."

Upon what are the hearts of many Englishmen set to-day? Is it the maintenance of the Constitution and of the Empire, or cheap food and a pass for the next week's football match? "Crop," says Lord Morley, "depends on soil as well as seed." In our beloved country the soil is prepared and seed will be sown. But what kind of seed will it be, and who

will sow it? Let those who can influence their countrymen pause on their way, and consider the signs of the times, lest calamity befall them and their children.

The Parliament Act 1911 has become the law of the land. It is impossible in this chapter to subject to analytical criticism its many anomalies, — for instance, that under its provisions the House of Commons cannot amend Bills which have been once rejected by the House of Lords; and that Bills may for that reason become law which are not approved by either House of Parliament. But that the Parliament Act violates the fundamentals of the British Constitution no one can doubt, for, since its enactment, the people are no longer in a position to control their own destinies, and the Crown, for the first time in English history, is involved in the vortex of party politics. "Nobody supposed," Mr Asquith has said, "that the Parliament Bill was anything but a means to an end: it is not an end in itself. The machine is there to do work."

If Parliament should enjoy the maximum

lease of life under the Parliament Act (*i.e.*, five years), financial legislation, by means of Money Bills, throughout the whole of this period, is placed under the unfettered control of the House of Commons, and so far as legislation in respect of other matters is concerned, the House of Commons is endowed with such supreme authority that Bills passed by the House of Commons during the first three years of its existence will be placed on the Statute-book whether the House of Lords has given its consent to such legislation or not. It is not overstating the position to assert that, during these periods, the government of the United Kingdom is handed over to the tender mercies of a single autocratic Chamber. Further, the authority of the House of Commons is as wide as it is uncontrolled. No legislation is excluded from the ambit of its jurisdiction, except Bills to extend the maximum duration of Parliament. Nothing is sacrosanct. A House of Commons, elected for example upon the issue of Free Trade or Tariff Reform, is at liberty to use its unfettered

powers to abolish the House of Lords, to disintegrate the United Kingdom, or even to convert the Constitution of the country from a Limited Monarchy into a Republic. Do the people realise that a Radical Administration has made it possible for legislation to be passed without the consent and, it may be, against the expressed will of the electors? If not, who is responsible for its failure to appreciate the position? No sooner had the House of Commons obtained its unfettered powers than it proceeded to vote to each of its members a salary of £400 a-year; and Bills to establish Irish Home Rule, to disestablish the Welsh Dioceses, and to lower the franchise immediately followed the passing of the Act. Can nothing be done to prevent the passage of such Bills as these until the wishes of the electors have been ascertained? If a refusal by the Upper House to pass the Army Bill or the Expiry Laws Continuance Bill be excepted, so long as the Parliament Act remains in force, the dissolution of Parliament by the Sovereign is the only means by which the opinion of the electors can be taken in

respect of legislation passed by the Single Chamber of the House of Commons. But the exercise of the Prerogative for such a purpose is fraught with the utmost danger to the Monarchy and to the Empire, the constituent parts of which are bound together by a deep sense of loyalty to the Crown. The abolition of the power of the House of Lords to prevent the passage of Bills sent up from the House of Commons has laid a heavy and invidious responsibility upon the Sovereign. It is no longer the privilege and the duty of the House of Lords to reject legislation which, in its opinion, is opposed to the wishes of the people ; for the difficult task of interpreting public opinion is, by the Parliament Act, shifted from the House of Lords on to the shoulders of the King. Sometimes, indeed, it is easy to gauge the wishes of the electors—for instance, in the case of the Home Rule Bill in 1893 and the Licensing Bill in 1908. Nevertheless, the position in which the Crown is placed by reason of the provisions of the Parliament Act is one beset with pitfalls ; and if the King were to dissolve Parliament, in the

mistaken belief that the policy of the House of Commons would not be confirmed by the electors, the result would be a collision—not between the House of Lords and the House of Commons, but between the Sovereign and his people. Who can contemplate without misgiving the outcome of such a crisis?

By the Parliament Act the Monarchy is threatened and the electorate defrauded of its rights. Every amendment suggested by Unionists to safeguard the rights of the people was contemptuously rejected by those who reiterate that they are the representatives of the people. It used to be the boast of Liberals in the past that they put their trust in the people; it is very clear that in the future they intend to legislate without consulting them.

While the Parliament Act in practice will be fraught with danger to the State, the methods by which the Radical Administration secured its passage into law were both unprecedented and amazing.

To seize the Prerogative of the Crown for the purpose of overcoming resistance to the Parliament Bill in the House of Lords was

an outrage on the Constitution ; to obtain a pledge from the Crown that a sufficient number of Peers would be created to secure its passage through the Upper House before that Chamber had even considered, much less rejected, the Bill, was an even grosser breach of duty on the part of the Government ; but to obtain the Crown's pledge before the Bill had passed either House of Parliament, proves that His Majesty's present advisers are quite indifferent to the elementary principles of constitutional procedure. In this matter Mr Asquith and his colleagues stand self-condemned, for Mr Asquith in the House of Commons, on February 21, 1910, laid it down that "To ask in advance for a blank authority for an indefinite exercise of the Royal Prerogative, in regard to a measure which has never been submitted to or approved by the House of Commons, is a request which, in my judgment, no constitutional statesman can properly make, and it is a concession which the Sovereign cannot be expected to grant. I say this in order that there may be absolutely no misunderstanding on this

point." The whole story is well known, and there is no need to repeat it, but it may be of interest to point out the almost painful analogy between the position taken up by the Radical Government and the course pursued by the Long Parliament of Charles I. The object of the House of Commons, in each case, was to subvert the Constitution and to set up an omnipotent Single Chamber, and the method adopted in each case was the same, both in principle and in detail, the only difference between the Parliamentary proceedings of 1649 and 1911 being, that, whereas Oliver Cromwell with his army and his unflinching character was able to coerce the more violent fanatics who sat in the Long Parliament, Mr Asquith is unable to stem the tide of revolution which is rising among the Radical myrmidons, and is unwilling to sacrifice party or personal expediency to gain a permanent settlement of the constitutional problem.

On July 2, 1912, Mr Bonar Law pithily summed up the position in the House of Commons: "What Mr Asquith has done is to drop the reins, throw them on the

neck of the horse, and allow it to gallop where it pleases, on the one condition that he is still allowed to cling to the saddle."

In January 1649, King Charles I. was in the hands of the Revolutionaries. The majority in the Commons were set upon bringing him to trial, but the House of Lords, then a small body, obstructed the way. On January 2, the House of Commons invited the House of Lords to approve an ordinance appointing 150 Commissioners to try the King, which the House of Lords unanimously refused to do. Thereupon, on January 4, the House of Commons passed the following resolutions:—

"*Resolved*, That the Commons of England in Parliament assembled do declare that the people are, under God, the original of all just power ;" and do also declare :—

"That the Commons of England in Parliament assembled, being chosen by and representing the people, have the Supreme Power in this Nation ;" and do also declare :—

"That whatsoever is enacted or declared

for law by the Commons in Parliament assembled hath the force of law, and all the People of this Nation are concluded thereby, although the consent and concurrence of King or House of Peers be not had there-unto."

These resolutions bear so striking a resemblance to the resolutions passed by the House of Commons under Sir Henry Campbell-Bannerman in 1907, and to the terms of the Parliament Act itself, that the similarity cannot well be accidental.

Mr Asquith, who is a master of carefully weighed prevarications and sonorous pronouncements, has stated that the Veto of the House of Lords ought to be "as dead as Queen Anne." What did he mean by this except that the House of Commons should be made an omnipotent Single Chamber? Moreover, the House of Commons, both in 1649 and in 1911, refused to allow members of the Upper House to have any voice in settling the method of their political destruction.

On February 6, 1649, the House of Commons negatived the following resolution :—

“That this House take the advice of the House of Lords in the exercise of the legislative power in pursuance of the vote of this House, the 4th January.”

In like manner, His Majesty's Government intimated to the House of Lords that they would not, under any circumstances, consider amendments which the House of Lords might make to the Parliament Bill, although it would effectively deprive them of their immemorial right to be necessary parties to legislation ; for Lord Crewe stated in the House of Lords, on February 16, 1910, “Your Lordships are entitled to express your opinion, as undoubtedly you will, upon the actual propositions of the Parliament Bill, but I may as well say at once that we cannot enter into any discussion of amendments. We are prepared to put this measure before the House, for the House to take or the House to leave it.”

On March 17, 1649, the Kingly office, and on March 19th the House of Peers, were abolished by “Act” of the House of Commons, pursuant to the following resolu-

tions passed on February 6th and February 7th.

February 6, 1649 :—

“That the House of Peers is useless and dangerous, and ought to be abolished, and that an Act be brought in for that purpose.”

February 7, 1649 :—

“That it hath been found by experience, and this House doth declare, That the Office of a King in this Nation . . . is unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the People of this Nation, and therefore ought to be abolished.”

The virtual abolition of the Veto of the Sovereign in matters of legislation, and the surrender of the Peers in August 1911, relieved Mr Asquith and his confederates from the necessity of pursuing to the bitter end the course followed by the Long Parliament, and the action of the majority of the House of Lords in assisting the passage of the Parliament Bill will, perhaps, save Mr Asquith from impeachment in proceedings similar to those taken against the Duke of

Ormonde and Lords Oxford and Bolingbroke in 1715, but who will affirm that the abolition of the House of Lords, and even of the Monarchy, would be inconsistent with the aspirations of some members, at any rate, of the Radical and Labour Parties?

The failure of the supporters of the Constitution to direct the attention of the public to the Single Chamber experiment of 1649-1657, which forms the precedent, but not an excuse, for the course adopted by the Radical Administration, is one of the most remarkable features of the present constitutional struggle. Similar methods were pursued in each case. Will the results be different? Is it not wise, in these circumstances, to recall the progress of the omnipotent Single Chamber set up during the Great Rebellion, and bear in mind the lessons of the Past? *Experientia docet!* Radical and Socialist politicians are never weary of portraying the Utopian legislation which, as they say, will surely flow from a House of Commons unfettered by obstruction in the "other place," as sunshine returns after the storm. No whit less allur-

ing was the vision set before the electorate by the Revolutionaries under the Commonwealth, but the conduct of the Long Parliament teaches a very different lesson. Alike in administration and in legislation, it acted with a tyranny which is the invariable concomitant of uncontrolled authority. "It is important," wrote John Stuart Mill in his work on Representative Government, "that no set of persons should in great affairs be able, even temporarily, to make their *sic volo* prevail, without asking any one else for his consent. A majority in a Single Assembly, when it has assumed a permanent character—when composed of the same persons habitually acting together and always assured of victory in their own House—easily becomes despotic and overweening if released from the necessity of considering whether its Acts will be concurred in by another constituted authority. The same reason which induced the Romans to have two Consuls, makes it desirable that there should be two Chambers; that neither of them may be exposed to the corrupting influence of undivided power, even

for the space of a single year ;” and he adds : “ This salutary habit, the mutual give and take (as it has been called) between two Houses, is a perpetual school, useful as such even now, and its utility would probably be even more felt in a more democratic constitution of the Legislature.”

Oliver Cromwell, unlike Mr Asquith, was prepared to exercise a restraining influence over his more violent adherents, but, like Mr Asquith, he found it beyond his power to stem the torrent which he himself had let loose. “ Nor can they,” said Cromwell in 1652, “ be kept within the bounds of justice, law, or reason ; they themselves being the Supreme Power of the Nation, liable to no account to any, nor to be controuled or regulated by any other Power, there being none superior or co-ordinate with them : so that, unless there be some Authority and Power, so full and so high as to restrain and keep things in better order, and that may be a check to these exorbitancies, it will be impossible in human reason to prevent our ruin ;” and again, in 1654, “ Poor men, under this arbitrary power, were driven like

flocks of sheep by forty in a morning to the confiscation of goods and estates without any man being able to give a reason that two of them had deserved to forfeit a shilling. I have given you but a taste of their mis-carriages." Nay more, in 1652, by means of the New Representation Bill, the Long Parliament actually sought to enact that the House of Commons should consist of 400 members, that the old members (eighty-five in number) should retain their seats without re-election, and should be entitled to veto any new members in all future Parliaments. Truly, it was "the horriddest arbitrariness that ever existed on earth."

The sequel is equally instructive. On May 25, 1657, the Humble Petition and Advice was presented to Cromwell, whereby it was prayed "That your Highness will, for the future, be pleased to call Parliaments consisting of two Houses once in three years at furthest, and that no law be altered, suspended, abrogated, or repealed, or new laws made, but by Act of Parliament."

The Single Chamber Constitution, under the Commonwealth, was abolished by Crom-

well, whose authority and influence had originally set it up. No sooner had the Revolution been consummated than his master mind perceived that the "instrument would not do its work," and with courage and determination he set himself to the task of restoring the balance of the Constitution.

At the presentation of the Humble Petition and Advice Lord Commissioner Fiennes spoke these memorable words: "This Constitution of a Chief Magistrate and two Houses of Parliament is not a pageantry, but is so consonant to Reason, that it is the very emblem and idea of Reason itself. If anything inconvenient should chance to slip out at one door, must it not pass two more before it come abroad to the detriment of the people? How exact and of how great respect and authority will be all your Acts, Laws, and Resolutions, when as after that they have passed the examination of that Great Body, which sees with the eyes of the three Nations, and is acquainted with the condition, and sensible of the necessities of every individual part thereof, they shall then

pass a second scrutiny, and be published and refined by such as, during life, shall make it their business either to fit themselves for, or to be exercised in things of that nature (being also assisted by all the reverend judges of the land and other learned persons of that robe, so oft as there shall be occasion to require their advice), and when, as after all this, they must pass also the judgment and assent of the Chief Magistrate, who is placed on high as upon a watch-tower, from whence he may observe at one view and discover the state of the whole Body Politic and every part thereof."

Can an Asquith afford to disregard the teachings of a Cromwell? Is Mr Asquith able or willing to follow the constructive as well as the destructive policy of the Protector, and to restore the balance of the Constitution which he has destroyed?

The broken pledge of the preamble of the Parliament Act demonstrates that he is not; and, if that be so, has the Commonwealth no lesson for the People themselves? If the Parliament Act is to be repealed, well and good—but if not, what alternative method of

legislation have the Radical Government to offer?

Mr Churchill supplied the necessary information on this point in the House of Commons on May 1, 1911. "If the Government had not changed, it was not easy to see why it should immediately wish to suspend the operation of a measure which had only recently been passed. If, again, a new Government came in, then presumably that Government would be in command of a Parliamentary majority, and what was to prevent that Government repealing the measure?" But what is to become of the "continuity of legislation" under which citizens may know, with comparative certainty, the laws to which they must needs conform? Will it be an easy, or indeed a possible policy, to reunite Great Britain and Ireland after Home Rule has been established, or to take back a new franchise from those upon whom it has been conferred? Every one knows that such a thing would be impossible.

Cromwell, in September 1654, pointed out that a Constitutional Instrument, such as that set up by the Parliament Act, could never do

its work. "Of what assurance is a law, if it lie in one and the same Legislature to unlaw it again? Is this like to be lasting? It will be a rope of sand. It will give no security; for the same men may unbuild what they have built." And again: "There are many circumstantial things which are not like the laws of the Medes and Persians, but the things which it shall be necessary to deliver over to Posterity, these shall be unalterable. Else each succeeding Parliament will be disputing to change and alter the Government, and we shall be as often brought into confusion as we have Parliaments, and so make our remedy our disease."

By reason of its inherent defects, a Constitution under which supreme power is vested in a single Authority, whether it be a Monarch or a Popular Assembly, is in any case predestined to failure; but the danger to the community of an unfettered Single Chamber is proportionately diminished or increased, as the franchise is restricted or widely distributed. The peculiar attributes of Democracy account for this phenomenon, which is well known to those

who are conversant with the principles of political science—and, among the civilised nations of the world, the more democratic the Constitution, the more stringent are found to be the safeguards provided against an abuse of authority by the Popular Assembly

The necessity of a Second Chamber, possessed of co-ordinate authority with the First Chamber, as an integral part of every well-ordered Constitution has not, of course, been universally or at all times recognised.

The Revolutionaries in France, like the present Radical Government, considered the existence of a Second Chamber of little, if any, importance. "If," runs the famous epigram of the Abbé Siéyès, "a Second Chamber dissents from the First, it is mischievous; if it agrees, it is superfluous."

But the Abbé Siéyès, like Sir Henry Campbell-Bannerman, desired the will of the House of Commons to prevail, because he assumed that the popular assembly was the "mirror of the people." Such an assumption cannot survive the test either of history or of criticism. "(1) *Qui est-ce que le Tiers État? Tout.* (2) *Qu'a-t-il*

été jusqu'à présent dans l'ordre politique? Rien. (3) Que demande-t-il? A être quelque chose." So runs the first page of the Abbé's pamphlet of 1789. If Siéyès meant by the Third Estate the uninstructed classes of the people only, he was obviously in error, while if he meant the entire community, Sir Henry Maine has pointed out that people are not agreed as to what the entire community consists of. Of course, if vox populi is in truth vox Dei, the Abbé Siéyès and the supporters of an uncontrolled Single Chamber are undoubtedly in the right. But was not Sir Henry Maine justified in asking, "Is the voice of the People the voice which speaks through scrutin d'arrondissement, or scrutin de liste, by plebiscite, or by tumultuary Assembly? Is it a sound in which the note struck by minorities is entirely silent? Is the People which speaks the People according to household suffrage, or the People according to universal suffrage, the People with all the women excluded from it, or the People, men, women, and children together assembling casually in voluntary

meeting? None of these questions have been settled: some have hardly been thought about. In reality, the devotee of Democracy is much in the same position as the Greeks with their oracles. All agreed that the voice of an oracle was the voice of a God; but everybody allowed that when he spoke he was not as intelligible as might be desired, and nobody was quite sure whether it was safer to go to Delphi or to Dodona."

Surely, in political matters, it is better to walk by sight than by faith, and whether they are judged by the test of criticism or past history or contemporary experience, it must be admitted that the principles underlying the Parliament Act are both unsound and undemocratic. On November 28, 1908, during the Second Reading of the Licensing Bill in the House of Lords, Lord Loreburn, then the Radical Lord Chancellor, said: "I know very well that the subject is unpopular, and it may have influenced the recent by-election. But I think that it is our duty to stand by the Bill, no matter how many by-elections may

have gone against us." Again, Mr Lloyd George, speaking recently on the Insurance Act at Birmingham, laid down that "it is rather late in the day to say that working men ought not to be compelled to do anything they did not like when they would be benefited by it." Behold the Radical interpretation of the "Government of the People for the People by the People"!

In the teeth of these and innumerable similar utterances can any reasonable man assert with any regard to accuracy that the House of Commons is the "mirror of the People," or that the measures which have passed the present House of Commons have coincided with the wishes of the electors, or even with the opinions of the members of Parliament themselves? The truth is, that under Democracy parliamentary and electoral votes are usually solicited and allocated with less regard to the interests of the community as a whole, or the wishes of the constituents, than under any other form of Government. It is a fallacy to suppose that Democracies seek "the greatest good of the greatest number"; on

the contrary, the wider the franchise the narrower is the outlook of the electorate, and the more readily are votes influenced by appeals to class prejudice, and by the wiles and catchwords of artful demagogues. "Political liberty," said Hobbes, "is political power," but in Democracies political power is "minced in morsels," and, as Sir James Stephen has pointed out, "The man who can sweep the greatest number of fragments of political power into one heap will govern the rest; the strongest man in one form or another will always rule; . . . in a pure Democracy the ruling men will be wire-pullers and their friends: . . . in some ages a powerful character; in others cunning; in others, power of transacting business; in others eloquence; in others a good hold upon commonplaces, and a facility in applying them to practical purposes, will enable a man to climb on his neighbours' shoulders and drag them this way or that; but under all circumstances the rank and file are directed by leaders of one kind or another who get the command of their collective force." It is of paramount import-

ance, therefore, in a democratic country that the leaders of the people should be men of high moral character. Integrity without ability will, at any rate, never corrupt the people; but ability without integrity will always tend to cheat the electorate of its rights, and deprive a nation of its freedom. A popular assembly, however, when endowed with unfettered authority, is a school in which corruption, not rectitude, is taught. The members of such a body learn to follow and not to lead their constituents, and to pander to the desires of the noisiest sections of their supporters, if only they may perchance retain their seats and their emoluments. They carry through their Parliamentary duties "listening nervously at one end of a speaking-tube which receives at its other end the suggestions of a lower intelligence." They are, indeed, elected by the people, but they represent themselves. The Framers of the American Constitution were well aware of this. Alexander Hamilton, writing in 1788 in the 'Federalist,' perhaps the greatest constitutional treatise ever compiled, expressed

the opinion that "a dangerous ambition more often lurks behind the specious mask of zeal for the rights of the people than under the forbidding appearance of zeal for the firmness and efficiency of Government. History will teach us that the former has been found a much more certain road to the introduction of despotism than the latter, and that of those men who have overturned the liberties of republics the greatest number have begun their career by paying an obsequious court to the people ; commencing as demagogues and ending tyrants." On January 13, 1837, Sir Robert Peel, who habitually couched his sentiments in moderate language, expressed a similar opinion in the course of a memorable address to the Conservatives of Glasgow : "If you give your consent to measures which tend to the dissolution of existing institutions, what security have you that there will be any reaction at any future time? What security have you against proscriptions—against the creeping forth of men of a type not yet heard of in England,—what security have you against the

ascendancy of blood-stained miscreants like Robespierre and Marat, *lusus naturæ* hitherto engendered, I am happy to say, in France alone, but from which no country can be protected if institutions congenial to its national character and hallowed by the lapse of ages are dissolved by violence or corrupted by fraud? You may rest assured that in every village a miscreant will arise to exercise a grinding tyranny by calling himself the People."

It is for this reason that no European State of any importance, except Great Britain, is prepared to surrender its destinies to the tender mercies of an omnipotent Single Chamber. In practically every civilised community the Second Chamber of the Legislature possesses co-ordinate authority with the popular Assembly, and no fundamental changes can be carried out except in accordance with special provisions inserted in the Constitution to prevent the abuse of legislative power. Nowhere are more stringent safeguards to be found than in the democratic Constitutions of the United States and of the British Dominions

in Canada, Australia, and South Africa. Upon what principle are the Radical Government justified in setting up a strong Second Chamber in South Africa, and destroying the powers of the Second Chamber in the Mother Country? The advocates of powerful Second Chambers, as Sir Henry Maine has pointed out, "do not assert that the decisions of a popularly elected Chamber are always or generally wrong. Their decisions are very often right. But it is impossible to be sure that they are right, and the more the difficulties of multitudinous government are probed, and the more carefully the influences acting upon it are examined, the stronger grows the doubt of the infallibility of popularly elected Legislatures. What, then, is expected from a well-constituted Second Chamber is not *a rival infallibility*, but *an additional security*. It is hardly too much to say that in this view almost any Second Chamber is better than none. . . . The conception of an Upper House as a mere revising Body, trusted with the privilege of dotting i's and crossing t's in

measures sent up by the other Chamber, seems as irrational as it is poor. What is wanted from an Upper House is the security of its concurrence after full examination of the measures concurred in." Mr Asquith himself expressed a similar opinion at Newcastle on January 30, 1895. "If there are advantages—I am the last to deny that there are advantages—in the existence of a Second Chamber, they are the advantages which result from the existence of an impartial, dispassionate, reviewing power, which will correct slovenliness, which will check dissipation, and which, in case of extreme need, will refer back to the people for consideration measures which the people cannot be supposed to have deliberately approved."

It may well be that in this country the Second Chamber will rest in the future upon an elective basis. At any rate, the hereditary qualification *per se* has been abandoned by every party in the State; but the composition of the Second Chamber is of little importance in comparison with its powers, and it is the foremost and paramount duty

of Unionists to work for the restoration of a Second Chamber with authority co-ordinate with that possessed by the House of Commons. But there is only one way by which the Unionist Party will be able to accomplish the task which lies before them. The claim of the Radical Party to be "the Representatives of the People" (too long allowed to pass unchallenged) must be laid bare before the electors, and the People must be made to appreciate that it is only by repealing the Parliament Act that they will be able to regain control of their own destinies. If it is once realised that the Radical Government has deprived the electors of their right to effectually express their opinion in legislative matters, the end of the present Administration will be near at hand, and His Majesty's present advisers will receive their congé in the words used by Cromwell at the end of the Long Parliament: "You must go: the nation loathes your sitting." "In our day," wrote Sir Henry Maine, "when the extension of popular government is throwing all the older political ideas into utter confusion, a

man of ability can hardly render a higher service to his country than by the analysis and correction of the assumptions which pass from mind to mind in the multitude, without inspiring a doubt of their truth and genuineness." Will the educated classes realise their duty in this matter, or will they remain immersed in selfishness and apathy, to their own undoing, and to the danger of the State? We shall see: "By their fruits ye shall know them."

III.

CHURCH ESTABLISHMENT

“If you raise the question of the Church in Wales, you raise the whole question.”—SIR WILLIAM HARCOURT, March 9, 1886.

CHURCH ESTABLISHMENT.

IT is urged that the Church in Wales ought to be disestablished because it numbers among its adherents less than half the inhabitants of the Principality. Even if this allegation had been proved, it by no means follows that the premises would justify the conclusion, for, as Lord Macaulay pointed out long ago, "the effective strength of sects is not to be ascertained merely by counting heads." It is admitted that the Church is the largest religious body in Wales; that it is an active Church; that in many rural parishes it provides the only minister of religion; that its members are increasing, while Nonconformity is on the downward grade; and, whether the Church of England is disestablished or not, that no other religious body in Wales is competent or

willing to undertake the obligations of a National Church. "Wisdom," it is said, "consists in a capacity to realise all the facts." In the teeth of these admitted facts, would it be wise statesmanship to destroy the existing Establishment, even if it had been proved that the adherents of the Church of England include less than half the inhabitants of Wales?

However, in the case of Wales the "argument from numbers" has not been made out, for in 1905, the year of the great religious revival in Wales, the "all-inclusive" total of the four dissenting bodies amounted to 1,032,254, and, with the addition of a further 100,000 to include smaller denominations, the total strength of religious bodies other than the Established Church was in that year approximately 1,140,000. Since that date the figures of the Nonconformist denominations show that their numbers have decreased, although in 1911 the population of Wales had increased to 2,442,000. In these circumstances, how can it be asserted, with any regard to accuracy, that the Church

of England numbers less than half the population of Wales? In one way the respective strength of the several denominations can approximately be ascertained, namely, by taking a religious census of the people, — a course consistently, and probably wisely, opposed by the enemies of the Established Church. In the absence, therefore, of accurate statistics, the issue must be determined not by guessing numbers, but by considering the principles which underlie the establishment of a National Church. For this reason, the meaning and effect of the attack which the Radical Government has launched against the Church of England in Wales is seldom appreciated. The promoters of a movement which has for its immediate object the disestablishment and disendowment of the four Welsh Dioceses are wont to remind their hearers that they have “no quarrel with the Church of England.”

Mr M’Kenna, speaking at the Queen’s Hall on January 25, 1912, said: “Again and again we must insist that our proposal is limited to severing the political tie between

Church and State in Wales"; and again, "In dealing with disestablishment, let me say at once that I shall confine myself strictly to the case in Wales." Such asseverations are both inaccurate and disingenuous: inaccurate, because twenty-four parishes in England are included in the scheme of the present Bill; and disingenuous, because Radicals believe in the nationalisation of Church property with just as much sincerity as they believe in the nationalisation of land, but in each case they are content to see "nationalisation proceed by easy stages." They desire the dismemberment of the Church of England as a whole, but rather than disclose their ultimate objective for all to see, they endeavour to veil their scheme by attacking, in the first instance, the Welsh Dioceses. This may be good tactics, and no one denies that Radicals are "wise in their own generation," but in truth, the principles under which the rights, privileges, and possessions of the Church of England are secured apply with equal force not only to the Church in Wales or in England, but to all religious Establishments; and

it must always be remembered that so soon as the outworks are carried an assault upon the main citadel will surely follow, and the attack upon the Church as a whole will be based upon the precedent and fortified by the principles which will have been created by the dismemberment of the four Dioceses of the Church of England in Wales. The unity of the Church has been complete for eight centuries. Upon this matter every historian is agreed, but if authority is necessary, it will suffice to recall the words of Mr Gladstone: "As regards the identity of these churches, the whole system of known law, usage, and history has made them completely one. There is a complete ecclesiastical, constitutional, legal, and I may add, for every practical purpose, historical identity between the Church in Wales and the rest of the Church of England. I think it is practically impossible to separate the case of Wales from that of England."

Throughout any inquiry, therefore, into the propriety of the Government's proposals, the words of Bishop Stubbs must

be borne in mind, "that the attack is on the Church as a whole, on the Establishment as a whole, on the continuance of the whole historical relations of the whole Church and the State of England."

The questions which fall to be decided are, ought the Church (1) to be disestablished, (2) to be disendowed?

Now the two questions are quite distinct in themselves, for the Church was not established by being endowed, nor was it endowed by being established, and yet, by a curious association of ideas, problems distinct in themselves are so constantly linked together in the minds of the people that the decision in one case would probably be held to cover and control the answer which has to be given in the other. Under these circumstances one would expect to find that the defence of the Church would be framed under both heads, but in point of fact this is not found to be the case, for supporters of the Church usually confine such observations as they make on the subject to an attack upon the disendowment proposals, and seldom, if

ever, mention the threatened disestablishment of the Church at all.

It is an unfortunate error in tactics, and one which goes far to account for the lukewarm reception which usually awaits arguments urged in favour of the Established Church, although the reason why this course is followed, and why it is urged by many leaders of Anglicanism, is not far to seek. It lies in the fact that while, apart altogether from religion, the plain man can follow an argument based upon the spoliation of ecclesiastical endowments held under a possessory, if not a statutory title, of nearly a thousand years, it is hardly to be expected that laymen will place much store upon the continuance of the Establishment, so long as the principle which underlies the system receives only half-hearted support from many ecclesiastical and spiritual leaders. The truth is, that division among the clergy has created indifference among the laity, and has prompted the Church's defenders to leave in its scabbard the most potent weapon in their armoury. A Church divided against itself cannot stand,

and the dissensions by which those who should be its natural protectors are torn asunder, have rendered a thousandfold more difficult the task of repelling attacks from Nonconformist and secularist quarters. "Quis custodiet ipsos custodes?"

The disendowment of ecclesiastical corporations which admittedly are carrying out their proper functions is, of course, quite indefensible upon any ground either of law or of morality; but the appeal which arguments based upon rights of property would otherwise make is apt to lose force when urged in support of ecclesiastical corporations, for it seems almost repugnant to the lay mind that the clergy should place such great store upon retaining their merely material possessions. And so it happens that the defence of the Established Church, based solely upon rights of property, is seldom urged with conviction, and seldom received with marked enthusiasm. To the plain man disendowment merely means "plundering the parson"; disestablishment means nothing at all. But by those who appreciate the purpose of a Church Establish-

ment, a line of defence at once more cogent and more profound can be seen, a defence which is relevant both to Endowment and to Establishment, and which sees in Endowment the means whereby alone the principle underlying Establishment can be carried out, namely, that it is the duty of a Christian State to protect the resources of that denomination to which it has intrusted the obligation of providing the means of grace for all those who desire to receive them. Let the people understand how greatly they benefit under a National Church, and it will be found that a weapon far stronger than an appeal merely to protect rights of ownership has been placed in the hands of the Church's supporters: the scene of battle will veer from disendowment towards disestablishment, and the vital issue will be seen to depend upon the answer which is to be given to this question—Is it desirable that a State, as such, should recognise religion?

Now there are two principles which underlie the establishment of a National Church, the second being consequent upon the first:—

(1) The State, as such, should recognise that every national act should be a religious and a Christian act.

(2) As national character depends upon the character of the individual citizens, all parishioners should possess a legal right to receive the means of Christian grace through the ministers of that body which, in the opinion of the State, is best fitted to expound the true doctrine of Christianity.

Mr Disraeli, speaking upon the proposed disestablishment of the Irish Church in 1868, said : "What I understand by the Union of Church and State is an arrangement which renders the State religious by investing authority with the highest sanctions that can influence the sentiments and convictions, and consequently the conduct, of the subject ; while on the other hand it renders the Church—using that epithet in its noblest and purest sense—political, that is to say, it blends civil authority with ecclesiastical influence, it defines and defends the rights of the laity, and prevents the Church from subsiding into a sacerdotal corporation."

Who can doubt that the State as such should recognise religion? It is of course objected that "the religion of a nation can be nothing else than the religion of the individuals who make up the nation," and that statement is true, if all that is meant by it is that the State is no more and no less than the sum of the individuals who compose it, but it is profoundly untrue if it means that the State as such should have no religion at all. Is the State through Parliament justified in promoting the intellectual, the moral, or the hygienic development of its citizens, and at the same time bound to refuse to recognise the value of a religious upbringing, and the paramount importance of education in Christian principles and piety? The truth is, that a State can no more escape from religion than can an individual. Just as the man who lives a moral life is enabled to do so because he has inherited moral instincts which are the outcome of a thousand years of Christian principle and discipline (however strenuously he may assert that Christianity has in no way influenced his life), so it is im-

possible for a State to be wisely and morally administered unless its Government as such recognises those religious principles which underlie all right action.

No one denies that the State should interest itself in the physical development of the people. But is bodily health more important to a nation than spiritual well-being? Nay, even on the lower ground of political expediency, is it not desirable that the State as such should recognise the supreme value of religious instruction?

Well might Dr Chalmers write: "To establish our conclusion it does not even require that we should have a parliament of spiritual men; for let them be utilitarians only, and that too in the coarsest or merely material sense of the term, and it were a mighty advancement of all their objects that the people should be trained in the principles and habits of religion. Neither the taste of the nation nor the scholarship of the nation can so facilitate the business or so prodigiously lessen the expenditure of a Government, as would the Christianity of the nation. It is this latter education of

which Burke's celebrated aphorism holds most emphatically true, that it were the cheap defence of the Commonwealth."

Are not the domestic troubles which harass our land due largely to want of sympathy and the absence among all classes of the discipline of self-control and the sense of responsibility? What is the use of collective bargaining if agreements are not to be kept? What is the use of attempting to govern a people by means of a policy which sets one class against another? Individuals in their private capacity are fully alive to the moral danger ahead, and they are equally conscious that the spirit of sympathy and self-sacrifice can only be re-engendered by inculcating into the hearts of the people Christian ideals and religious principles. Is the State in its corporate capacity "to care for none of these things"? Surely to moot the question is to answer it.

"Except the Lord keep the city, the watchman waketh but in vain."

Lord Palmerston in 1856 stated: "I, for one, am decidedly of opinion that a Church Establishment is a proper part of the organ-

isation of a civilised country, entertaining a deep, a settled, a rooted conviction that a Church Establishment is essential in every country in which it is thought desirable that religion should be diffused and inculcated on the minds of the population."

It is because the State for centuries has recognised that public no less than private life should be influenced by religion; that Commissioners of assize and the Houses of Parliament commence their proceedings with public prayer; that the Sovereign is crowned in the Abbey Church at Westminster; and that citizens in these and many other ways are reminded that all true service must be dedicated to God. Nay, more, the national flag itself, the emblem of national life, is thrice marked with the sign of the cross.

If, then, it is the duty of a Christian State to invest its citizens with the right and the opportunity of obtaining those means of grace by which alone national character can be wisely moulded, the State must select as a National Church that denomination which, in the opinion of the State, will in the most efficient manner expound

the true doctrine of Christianity. The State must raise the selected denomination to the status of a National Church ; the Church on its part undertaking—

(1) To provide spiritual ministration to all parishioners in its several parishes ; and

(2) Not to change its doctrine without the consent of the nation expressed in statutory form.

Sir Edward Clarke has stated that “the difference between a country in which there is no Established Church, and the place in which happily this Church is established with its authority and its correlative duties is, that in the former you have a number of somewhat narrow sects, competing with each other for the influence and revenue they may gain from the community, while in the latter the church doors are open to all, and the poor man, though he can bring no gift, is entitled to enter and to hear the preaching of the Gospel and receive the ministration of the Sacraments. It is his right, and none can bar him from it.” By 1 and 2 Ed. 6, c. 1, and other statutes, a legal right to the ministration

of the clergy is vested in parishioners, and a refusal of ministration without lawful cause would support an action on the case at common law, or proceedings in an Ecclesiastical Court against the offending clergyman. Such is the meaning of a National Establishment of religion. Such is the effect of an Establishment upon the rights and privileges of the clergy and the laity. If laymen once become aware that disestablishment means the abolition of the legal right of the laity to receive the ministrations of the Sacraments,—a right which is theirs not because they pay for it, but because they are members of an Established Church,—the resentment of popular audiences will glow into a devouring flame, for the people will then realise that disendowment means not only that the clergy may lose their stipends, but that the means whereby alone young and old, rich and poor, the outcast, the ignorant, and the afflicted can receive Christian ministration will become drastically restricted. The laity will never knowingly consent to give up this splendid heritage, which they hold not only for

themselves, but as trustees of those who shall succeed them.

It must always be remembered that it is the laity, and not the clergy, who will be the heaviest losers if disestablishment takes place. Is it not, therefore, a grave error in tactics that defenders of the Church should expose before popular audiences the evils of disendowment, and leave untouched the far greater and more deep-seated evils which would follow in the train of disestablishment? The Establishment of the Church of England, then, consists in the legal status which the Church acquired at the Reformation in exchange for the obligations which she then undertook to perform. The effect of the Establishment was not to confer privileges on the clergy, but to vest legal rights in the laity. No one can pretend that Henry VIII. or Elizabeth were minded to confer either privileges or riches upon the Church. The fundamental object of the Tudors was to confirm the Royal Supremacy over all matters and causes, whether ecclesiastical or civil.

There was no privilege granted to the

Church at the Reformation except the privilege of being intrusted with the spiritual welfare of the nation ; for although a State which recognises the paramount importance of propagating Christian principles is under a moral duty to provide the Established Church with the necessary means of effecting its purpose, the State in this country has undertaken no such obligation. With the exception of Parliamentary grants between 1818 - 1824, amounting in all to £1,500,000, for the erection of new churches in populous districts, and annual grants to Queen Anne's Bounty between 1809-1820, reaching in the aggregate £1,100,000, the State as such has not endowed the National Church with any part of the property of which ecclesiastical corporations stand possessed. Further, the principal privileges which the Church enjoys became vested in her long before the Establishment ; her spiritual and her coercive jurisdiction has been conceded to her from at least Norman times ; the Coronation service of the Church and realm of England, according to the late Dean Hook, has been substantially the

same since the eighth century ; and Bishops have been members of the House of Lords ever since it has existed.

Sir Lewis Dibdin has pointed out "that not one of the privileges referred to above was conferred at the Reformation. They have all been handed down from the earliest antiquity."

What objection can be raised to such an Establishment as this, which confirms but does not create the rights and privileges of the clergy, which embodies the national recognition of religion, and which brings to the doors of all who seek the means of grace the opportunity of finding them? However, the system is sometimes attacked by opponents even within the Church, and, before attempting to combat the objections put forward by Nonconformists, it may be well to refer to two ecclesiastical reforms which would disarm much criticism among faithful members of the Established Church. The unrestricted right of Church patronage, whereby an incumbent may be appointed and retained in a benefice without the approbation—and, it may be, against the wishes—

of the parishioners, is a cause of much uneasiness in the Church, and seventy years ago lost to the Scottish Church Dr Thomas Chalmers—the most brilliant of all champions of Church Establishments; and a reform whereby the nomination of the patron should require for its validity the confirmation of the parishioners would prove both expedient and popular.

Further, in any scheme for the reconstruction of the House of Lords, the exclusion of Bishops would be received with approval by an overwhelming proportion of the laity. It is in theory, as in practice, as unsatisfactory that Bishops should sit in the House of Lords as that Nonconformist ministers should sit in the House of Commons.

The clergy of all denominations are concerned with the principles upon which conduct should be based; they should be content to leave in other hands the consideration of the best means whereby those principles can be put in practice.

The position of the clergy in France was profoundly prejudiced by the unfortunate intervention of the Church in "l'Affaire

Dreyfus," while in this country it would not be easy to find an instance in which the active participation of ministers of religion in politics has not been fraught with danger both to religion and to the body politic.

The support which the Archbishops and Bishops gave to the Parliament Act in 1911, the first-fruits of which were avowedly to be a scheme of Church Disestablishment, and the vehement manner in which many of the bishops and clergy advocated the passing of the confiscatory clauses of the Licensing Bill, 1908, have alienated the sympathy of many Conservative Churchmen, who hold that plunder is plunder, whether what is taken be licensed property, or land, or ecclesiastical endowments.

The course which the Episcopal Bench have thought it right to pursue in the House of Lords with respect to recent legislation goes some way to show that theological erudition is not always the concomitant of practical statesmanship. But although these matters undoubtedly are prejudicial to religion, they cannot be said to affect the principle of Church Establishment ;

the main objections urged against the Established Church being—(1) “That the application by law of the revenues of the State to the maintenance of any form of religious worship and instruction is contrary to reason, hostile to liberty, and directly opposed to the Word of God” (Basis of Association of Liberation Society, 1844).

It is to be observed, however, that the revenues of the State have never been applied, with the exceptions already stated, to the maintenance of the Established Church. “Tithe,” wrote Bishop Stubbs, “never belonged to the nation, and was not the gift of the nation,” because, in the words of Professor E. A. Freeman, “the Church preached the payment of tithe as a duty: the State gradually came to enforce that duty by legal enactment.”

Moreover, upon what principle is it right for the State to recognise the importance of education in Christian ideals, and at the same time wrong for the State to provide for the maintenance of such education? On the contrary, it is its highest duty and

privilege "to maintain religious worship and instruction." The Voluntaries either draw a distinction in principle between endowments derived from public sources and those derived from private benefactions,—a distinction which has been shown to be essentially unsound, and which is irrelevant so far as the Church of England is concerned,—or else they maintain that endowments, from whatever sources they may have been derived, are indefensible, in which case the large and growing endowments of Nonconformist denominations are seen to be tainted with the very vice which is said to render the endowments of the Church "contrary to reason, and directly opposed to the Word of God." Supporters of the Established Church do not complain, however, that Nonconformists have accepted from time to time large sums by way of Endowment, derived partly from Parliamentary grants and partly from private benefactions, but they do invite Nonconformists either to surrender their endowments in support of their principles, or else to admit that a system of free trade in

Christianity must always break down in practice. Dr Chalmers in his works¹ again and again proves this to be the case.

“It is perhaps the best among all our more general arguments for a religious Establishment in a country, that the spontaneous demand of human beings for religion is far short of the actual interest which they have in it. That is not so with their demand for food or raiment, or any article which ministers to the necessities of our physical nature. The more destitute we are of these articles the greater is our desire after them. . . . The sensation of hunger is a sufficient guarantee for there being as many bakers in a country as it is good and necessary for the country to have, without any national establishment of bakers.

“Now the very reverse of all this holds of Christianity, or rather of Christian instruction. It is not with man’s intellectual or his moral, as it is with his animal nature. Although it be true that the longer he has been without food the more hungry he is,

¹ ‘On Church and College Establishments’ and ‘On the Christian and Economic Polity of a Nation,’ *passim*.

and the more urgent is his desire of food, yet the more ignorant a man is, not the greater, but, generally speaking, the less is his desire of knowledge. And this converse proposition is still more manifestly true of his moral than of his intellectual wants. The less a man has, whether of religion or righteousness, the less does he care for them, and the less will he seek after them. It is thus that nature does not go forth in quest of Christianity, but Christianity must go in quest of nature." And again: "A free trade in commerce only seeks to those places where it can make out a gainful trade; but it is sure to avoid or to abandon those places where, whether from the languor of the demand or the poverty of the inhabitants, it would be exposed to a losing trade. By a free trade in Christianity let the lessons of the Gospel follow the same law of movement, and these lessons will cease to be taught in every place where there is either not enough liking for the thing or not enough money for the purchase of it; so that religion, the great and primary characteristic of which is that

it should be preached unto the poor, must be withheld from those people who are unable by poverty to provide a maintenance for its teachers."

Was not Lord Macaulay abundantly justified when he said, "The person about whom I am uneasy is the working man. What is to become of him under the Voluntary system?"

(2) The second objection—namely, that under an Establishment the State "intervenes between a man's conscience and his God"—has no more substance than the first. If Nonconformists mean that in the United Kingdom any man is compelled by law to accept any form of religion, an examination of the Toleration Acts from 1689 onwards will dissipate the illusion.

If Nonconformists mean that ministers of the Established Church are maintained in their benefices so long and in so far as they conform to the laws of the Established Church, the objection comes to nothing, for Nonconformists in like manner are only at liberty to retain possession of their endowments so long as they

conform to the terms and conditions set forth in the trust deeds of their Founders. For instance, in what sense does a Wesleyan Methodist minister enjoy more "liberty of conscience" than does a minister of the Established Church, for the freedom of each is limited by the rules of the denomination of which he is a member? A minister of the Church of England or of the Church of Scotland is bound to conform to the laws which govern his Church; while a Wesleyan Methodist under the Chapel Model Deed of 1832 is "not free" to preach—"if he shall maintain, promulgate, or teach any doctrine or practice contrary to what is contained in certain notes on the New Testament commonly reputed to be the notes of the said John Wesley, and in the first four volumes of sermons commonly reputed to be written and published by him." Of course, if it could be proved that the State created or purported, without the assent of Convocation, to alter the doctrine of the Established Church, such action on the part of the State would be morally and theologically indefensible, but on this matter the authority

of the late Lord Selborne is clear. "No State legislation in England ever affected the Creed or the Orders of the Ministry of the Church otherwise than by adding certain sanctions of law to what the Church had from the beginning received : no such legislation as to doctrine or worship—certainly none which is now in force—took place, except in confirmation of what had already been determined and agreed to in the Synods of the Church." And in the 37th Article of Religion it is laid down that "we give not to our Princes the ministering either of God's Word or of the Sacraments." Again, if it is urged that Convocation cannot amend the doctrine, ritual, or substance of the Church without the sanction of the Crown evidenced by an Act of Parliament,—a constitutional practice essential to any theory of Establishment,—it may be answered that in like manner Nonconformist denominations, without losing their endowments, cannot effectuate any change in their tenets except under the Dissenters Chapels Act, 1844, or a special Act of Parliament giving them power so to do. The two funda-

mental objections urged by Nonconformists against Church Establishments therefore fall to the ground. Church Establishments are not found to be either "an encroachment upon the rights of man, or an invasion of the prerogatives of God."

The Royal Supremacy over Church and State has remained unchallenged for at least 300 years. As Head of the State, the Sovereign in the last resort has jurisdiction to decide every dispute in ecclesiastical as well as in civil matters. This jurisdiction has been exercised from the earliest times, and was confirmed by the Constitutions of Clarendon in 1164. It may be that the Sovereign should act in causes relating to doctrine and ritual solely upon the advice of the Bishops in Convocation, or of other ecclesiastical persons. Up to the present time no such custom has prevailed, and it is at least an open question whether an ultimate tribunal in ecclesiastical matters so composed would command universal obedience from the clergy. But it is quite clear that to refuse to support the Establishment, unless this change is carried out, is to en-

danger the parochial system, and thereby to expose the nation to the perils of materialism.

A Church Establishment confirms the privileges of the clergy, and invests the laity with a legal right to receive the ministration of the Christian faith. It is only under the parochial system, which is an incident of Church Establishment, that the Church can readily fulfil its sacred mission of seeking and saving those that are lost.

The Bishop of Peterborough, in the course of an historical address in the House of Lords in defence of the Establishment in Ireland in 1869, was careful to explain that "an Establishment is not its endowments : of course not, any more than a man is his purse,—but to deprive a man of his purse may have an uncomfortable and unpleasant effect not only on his moral but on his spiritual nature." The issues raised by disestablishment and disendowment are not identical, but when the meaning of disestablishment is understood, the effect of disendowment can be more fully appreciated. It is seen to be an invasion of the rights of the laity as well as a means of "plundering

the parson." The Archbishop of Armagh pointed out to a meeting of Members of Parliament held at the House of Commons in May 1912 that the clergy of the Church of Ireland have decreased in numbers since the disestablishment of the Irish Church from 2050 to 1460, owing to the inability of the Church to provide resident ministers. Now, it is a cardinal Tory principle to attach more value to experience than to experiments, and, when it is realised that the effect of disendowment, for example, in Wales, would be that out of a total of 984 incumbents, 220 would be totally deprived of their present emoluments, and 75 in addition would be left with less than 5s. a week to live upon, and, when it is appreciated that the only minister in many of these parishes (situated as they are for the most part in the uplands of Wales) is the resident minister of the Established Church, the laity will not be prepared readily to give up, either in their own interests or in those of their children, their immemorial right to have the Christian faith ministered to them.

It must not be forgotten that it is not the

intention of the Radical Government to dis-establish and disendow one denomination in order to establish and endow another. It is the intention of the Radical Government to annex for secular purposes property held in trust for the propagation of Christianity. Upon what principle can such a scheme be justified? No one disputes the proposition which Lord Romilly (Master of the Rolls) laid down in 1869, that "if a corporation does not answer the purpose for which it was established, or fulfil the duties for which it was instituted, the State, according to all principles of good government, has full power to deal with it." Nor is it contended, if the Church has failed in its purpose, that its endowments should not be taken from it and applied to other religious purposes. But, in fact, it is beyond controversy that the Church in Wales is fulfilling its trust with conspicuous success, and no higher tributes to its work could be paid than those which have been bestowed upon the Welsh Dioceses by Mr Gladstone and Mr Asquith. Non-conformist enemies of the Establishment, however, desire to see the Church dis-

membered, not because it is weak, but because it is strong; not because its influence is waning, but because year by year its teaching is proving more attractive to the people. They urge that the advance of the Church involves the decline of Nonconformity, but why, on that ground, ought the Church in Wales to be disestablished and disendowed? Further, Mr Gladstone in the case of the Irish Church promised that "every vested interest shall receive absolute compensation and satisfaction." It is not only the clergy but the laity who have vested rights in the Established Church. What compensation are laymen to receive under the Bill for the loss of a vested and legal right to receive the ministration of the Sacraments? The obligations of the State towards corporate property are analogous to those of a trustee. Upon what principle is a trustee justified in appropriating to himself the property of which he is the fiduciary? To these questions no satisfactory answer is suggested or can be given. The Welsh Disestablishment Bill will cripple the resources of the Church without conferring any benefits upon Non-

conformity. It will strike a blow at the rights of the laity, and at the same time profoundly intensify sectarian bitterness, and if it is placed on the Statute-book every other Church Establishment will be threatened with a similar fate. Is it possible to prevent its passage into law? In one way only can such a catastrophe be averted and the attack upon the Church brought to nothing, and that is, by explaining to public audiences that the disestablishment and disendowment of the Church involves not only the spoliation of the clergy, but an invasion of their immemorial legal rights.

IV.

IRELAND AND THE EMPIRE

“We shall be under one Sovereign, but the question is : Shall we be under one sovereign power? The sovereign power is the power of the Imperial Parliament. Will the power of the Imperial Parliament remain sovereign in Ireland? Nominally it will remain. Will it be real?”—
LORD HARTINGTON, April 8, 1886.

IRELAND AND THE EMPIRE.

HOME RULE excites little interest in the constituencies outside Ireland. Public audiences become listless and inattentive the moment the subject is mooted. No one fully understands the complicated financial provisions of the Bill, and the electors, for the most part, altogether fail to appreciate its significance for themselves. Various reasons are given to account for this deplorable state of things. It is sometimes urged, and with no little force, that it is not to be expected that any considerable amount of interest will be excited in a Bill which cannot become operative for nearly two more years. "Who can tell," it is pointed out, "what may not have happened before the Bill passes into law?" Behold the stimulating effect of the Parliament Act

upon the electorate! In truth, the public have not had long to wait for an illustration of the new conditions under which Parliament in this country carries on its business. Radical Ministers reiterate that measures must be pressed through the House of Commons, with or without adequate debate, in order to find their place on the Statute-book before the next General Election. Such precipitancy, however, is quite unnecessary unless the Government are minded to promote legislation of which the electors do not approve. If a measure happens to be in accordance with the will of the people, there is nothing in the Parliament Act which should give its supporters a moment's anxiety; for whether a General Election intervenes or not, the Bill will become law after the two years have elapsed. Why, then, should the Guillotine and the Closure be so rigorously applied to the Home Rule Bill? Further, if the Bill is one which will be carried anyhow over the head of the House of Lords, does it not become of the utmost

importance, for that reason alone, and apart altogether from other considerations, that full discussion of the measure should be permitted in the House of Commons? And, surely, the paramount importance of sober and adequate consideration in the House of Commons of what may be called a Parliament Act Bill, becomes even more patent when it is remembered that, under the provisions of that ludicrous Act, the House of Commons can never themselves amend the Bill in the second or third Sessions (for in that event the Act will no longer apply), however desirable such amendments may be in themselves, and however great may be the number of members who wish to see the amendments inserted in the Bill.

“The moving finger writes ; and having writ,
Moves on : nor all thy piety nor wit
Shall lure it back to cancel half a line,
Nor all thy tears wash out a word of it.”

The reason why the restrictions on debate in the Home Rule Bill are more drastic than have ever before been known is as obvious as it is disgraceful. The Radical Government realise that the electors at a

General Election would be no more likely to endorse the principle of Home Rule for Ireland to-day than they showed themselves to be in 1886 and in 1895. They are more concerned, therefore, to keep their majority intact than to produce a well-considered measure, and deem it of greater moment to place a Home Rule Bill, good or bad, upon the Statute-book "within the lifetime of this Parliament," than to consult the people whose representatives they are for ever proclaiming themselves to be. In this way both the House of Commons and the electorate are corrupted. The House of Commons becomes a mere machine for registering the decrees of the Cabinet, while the electors, because the passage of the Bill into law is felt to be problematical, resolutely refuse to take any interest in a scheme of legislation disastrous to the maintenance of the United Kingdom, and fraught with danger to the Empire. Another reason which is sometimes assigned for the apathy of the public in respect of Home Rule, is the general be-

lief that Home Rule for Ireland in some form or another is a foregone conclusion, and that the claim of the Irish Nationalists to autonomy must sooner or later be conceded. "Whatever we do we cannot prevent the Bill passing, and, after all, Home Rule concerns Ireland more than it does Great Britain, and if Irishmen want it, well, let them have it." Who is there who has not heard this view enunciated over and over again? That it is widespread among both the educated and uninstructed classes is an undoubted fact; but could anything be more contrary to common-sense, or more likely to enervate the political vigour of the people? It is a commonplace among experienced observers that in politics nothing is a foregone conclusion, and that no measure must needs pass. On the contrary, unless a Bill is backed by public opinion, it is wellnigh hopeless to expect to see it carried into law, while the resolute opposition of a surprisingly few enthusiasts can bar the passage of a Bill promoted for any purpose whatever. It is quite true that the Home

Rule Bill of 1912 will almost certainly prove abortive, but if the struggle ends in this way the credit will in no wise be due to the opponents of Home Rule in England, whose lack of energy is simply colossal, but solely to the courage and the enterprise of the inhabitants of North-East Ulster. Who will deny that if Englishmen and Scotsmen had been endued with but a tithe of the virility possessed by Ulstermen, the days of the present Administration would long ago have been numbered, and the reins of government would have passed into the hands of a party whose policy is not to disrupt the United Kingdom, but to consolidate the several units of the British Empire into a single Imperial organisation?

Now, what is the test by which Home Rule must be judged? Surely, it is this. Will the legislative independence of Ireland tend to forward the consolidation of the Empire, or will it not? However beneficial the grant of autonomy in her own affairs may be for Ireland, unless at the same time it makes for the good of the Empire, it is not worthy of the support of

any reasonable or loyal British citizen. Every one agrees that this is the test to be applied. Mr Gladstone, when introducing the Home Rule Bill on April 8, 1886, said that "the unity of the Empire must not be placed in jeopardy; the safety and welfare of the whole must be preferred to the security and advantage of the part." In these critical times, when the lines upon which the Empire is to develop in the future occupy so large a place in the minds of all thoughtful men, the true meaning of the Nationalists' claim must be clearly understood. In order to appreciate the real position the three Home Rule Bills may for the moment be left out of consideration. No doubt Mr Redmond, and those who hold with him, are prepared to accept the Home Rule Bill of 1912, just as Mr Parnell was prepared to take the Home Rule Bill of 1886, for what it is worth, but neither in 1886, nor in 1912 were the Nationalists of Ireland prepared to accept the Home Rule Bill as a "final settlement" of the Irish question. Speaking at Newry, on June 16, 1897, Mr Redmond

frankly stated the position which the Nationalists had taken up :—

“I remember when Parnell was asked whether he would, on behalf of the united Nationalist nation that he represented, accept as a final settlement the Home Rule compromise proposed by Gladstone. I remember his answer. He said, ‘I believe in the policy of taking from England anything we can wring from her which will strengthen our arms to go on for more. I will accept the Home Rule compromise of Gladstone *as an instalment of our rights*, but I refuse to say that it is a final settlement of the National question, and I declare that no man shall set a boundary to the onward march of the nation.’ That is our motto.”

And again, at Limerick, on September 11, 1910 :—

“I desire to say here to all English statesmen that we stand in this question precisely where Parnell stood.”

The meaning which Nationalists attach to Home Rule, then, is not to be found in the terms of the various Bills which from time to time have been introduced by the Radical Party. It is necessary to look out and beyond those measures if the real claim which the Nationalists put forward is to be understood. Mr Asquith, in introducing the Home Rule Bill on April 11,

1912, once again showed that he had lost any flickering glimmer of Imperialism which he may once have possessed, and demonstrated how utterly unable he was to bring his mind into touch with the aspirations of the supporters of Imperial organisation either in the Mother Country or in the Dominions, by stating :—

“We are here in the Imperial Parliament, and the Imperial Parliament can neither surrender nor share its supreme authority with any other body, or any other part of His Majesty’s Dominions. That is the cardinal principle on which the Bill is founded. . . . The supreme power and authority of the Imperial Parliament is to remain unimpaired and unchallenged. We mean this Bill to confer on Ireland in regard to Irish concerns local autonomy, subject only to such reservations and safeguards as the peculiar circumstances of the case require.”

But what are “Irish concerns”? No one has ever yet been able to give an intelligible meaning to the term. If the goal of Irish Nationalism is the local administration of purely local affairs, why was the Irish Councils Bill of 1907 rejected with contempt by the Nationalist Convention? Few people realise how ample was

the jurisdiction with respect to local affairs which was to be conferred by this Bill upon the Irish Council. It may be not uninteresting to recall what the measure was promoted to effect. An Irish Council composed of 106 members was to be set up to administer local affairs in Ireland. To this body was to be transferred all the powers and duties vested in the Local Government Board, the Department of Agriculture, the Congested Districts Board, the Commissioners of Public Works, the Inspector of Reformatory and Industrial Schools, the Registrar-General, the Commissioners of National Education, the Intermediate Education Board. In addition, the Irish Council was to possess control over the Estates Commissioners, and all other powers given by any future Act of Parliament, to the Lord-Lieutenant or any Government department which were not expressly excluded from the ambit of its jurisdiction. An Irish Fund was to be created and placed to the credit of the Irish Council at the Bank of Ireland, out of which the expenses of administration were to be defrayed, and this Fund was

to be replenished out of the Consolidated Fund of this country, and was to be under the control of the Irish Council, subject to the amount being readjusted by Parliament every five years. If devolution in respect of Irish affairs was the goal of Nationalism (and Unionists in the future as in the past will be ready to grant to Ireland the right to manage her purely local affairs), surely the Irish Councils Bill went a long way along the road towards it. Yet the Nationalists would have none of it. The truth is, that there can be no half-way house, so far as Great Britain and Ireland is concerned, between control by a United Parliament and Separation. Every intermediate proposal is a snare and a delusion. It is impossible to draw the line between the affairs of Ireland and the affairs of the United Kingdom. This point can be clinched in a sentence. After the grant of local autonomy to Ireland, is Ireland to be represented at Westminster or not? If not, how can Ireland be expected to consider herself bound by the decrees of the British Parliament at Westminster, in which she is unrepresented,

and in the shaping of whose policy she has no voice? On the other hand, while Englishmen and Scotsmen are not entitled to take any part in legislation with regard to Irish affairs, are Irish members to sit at Westminster for the purpose of voting on Imperial affairs? The unfairness and absurdity of this proposal was once and for all time exposed by Mr Gladstone himself, when introducing the first Home Rule Bill :—

“When these gentlemen, coming here for the purpose of discussing Imperial questions alone, could dislodge the Government which is charged with the entire interests of England and Scotland, I ask, what becomes of the distinction between Imperial and non-Imperial affairs? I believe the distinction to be impossible, and, therefore, I arrive at the next conclusion, that Irish members of Parliament and Irish peers cannot, if a domestic legislature be given to Ireland, justly retain a seat in the Parliament at Westminster.”

It is patent, then, that the grant to Ireland “in regard to Irish concerns of local autonomy” is incompatible with retention by the British Parliament of an overriding jurisdiction either in respect of Imperial or of local affairs. When once this is made clear the claim of the

Irish Nationalists can be easily understood. Neither Mr Parnell nor Mr Redmond, nor Mr Devlin, "the de facto Chief Secretary for Ireland," have ever laboured under any illusion in respect of this matter. They appreciate that local autonomy involves Irish Independence; and it is for that reason, and that reason alone, that they are found ready to take the measures of Home Rule which are proffered as "an instalment" of better things to come. It may be admitted at once that, except upon platforms in England and Scotland, these gentlemen have never been at pains to mask their intentions. "The cant about the union of hearts must be given up," as Mr Redmond has pointed out.

"None of us," said Mr Parnell on February 20, 1880, "whether we are in America or Ireland, or wherever we may be, will be satisfied until we have destroyed *the last link which keeps Ireland bound to England*";

and again at Cork in January 1885—

"No man has the right to fix the boundary to the march of a nation; no man has the right to say to his country, 'Thus far shalt thou go and no further'; and we have

never attempted to fix *ne plus ultra* to the progress of Ireland's nationhood, and we never shall."

"Speaking for myself," he added at Castlebar in November 1885, "and I believe for the Irish people and for all my colleagues, I have to declare that we will never accept, either expressly or by implication, anything but the full complete right to manage our own affairs, and to make our land a nation; to secure for her, free from outside control, the right to direct her own course among the peoples of the world."

Mr Redmond has over and over again expressed the same sentiment. At Navan on December 8, 1895, he stated—

"Our principles are easily defined. They are the *independence of Ireland* and the civil and religious liberty of all her sons. . . . 'Ireland for the Irish' is our motto, and the consummation of all our hopes and aspirations is, in one word, *to drive English rule, sooner or later, bag and baggage from our country.*"

At Buffalo on September 27, 1910—

"I have come here to-day to America to ask you to give us your aid in a supreme, and I believe a final, effort to dethrone once and for all the English Government of our country. . . . I would go back, if necessary, to the state of servitude and oppression which existed 100 years ago in Ireland if in exchange I could get once again established on Irish soil the principle of national self-government. Without freedom all these great concessions are valueless, or, at any rate,

such value as they possess is to be found in the fact that they strengthen the arm of the Irish people and push on to the goal of *National Independence*."

"I believe," said Mr Devlin in November 1908, "in the separation of Ireland from England until Ireland is as free as the air we breathe"; while Mr Dillon, in the House of Commons on February 11, 1898, point-blank stated the true position:—

"You spoke of the repeal of the Union and the re-opening of the Irish Parliament as the full Nationalist demand. Now I say, in the first instance, that in my opinion, and in the opinion of the vast majority of the advanced Nationalists of Ireland, that is not the full Nationalist demand. (Mr REDMOND) *Separation*. (Mr DILLON) *Yes, that is the full Nationalist demand*. That is the right on which we stand, the Nationalist right of Ireland."

Separation, and nothing else, is the goal of the Irish Nationalist Party. The fact is quite obvious, their leaders are not careful to deny it, and the real situation must be borne in mind by those who wish to appreciate the effect that Home Rule Bills are likely to have upon Ireland, the United Kingdom, and the Empire.

Will an Irish Government, administered by men with sentiments and aspirations such as these, be likely to concern itself with the welfare of Ireland as a whole? Will it be careful to do nothing which could imperil the maintenance of the United Kingdom? Will it regard the interest of the Empire at large? Will Ireland possess a subordinate Parliament or an insubordinate one? By the answer to these questions let Home Rule be judged.

That every Home Rule Bill which has been produced up to the present time is quite unworkable must be obvious to the most casual observer, and need not be demonstrated again. The point is made clear enough when it is remembered that under the Bill of 1912, while Ireland is entitled to impose taxes, Great Britain has to collect them, and while the Irish Parliament is responsible for law and order, the British Parliament remains in control of the police. No Bill containing such provisions as these could possibly work. But let it be assumed, for the purpose in hand, that the Bill would be workable, yet the

question still remains: what will be the effect of the Bill upon Ireland, the United Kingdom, and the Empire? Will it bring peace to Ireland, or a sword? The answer will be found in the following passage taken from the speech of Mr Asquith, on April 11, 1912:—

“You are refusing to recognise the deliberate constitutional demands of the vast majority of the nation, repeated and ratified.” (Sir C. KINLOCH COOKE) “What nation?” (The PRIME MINISTER) “What nation? The Irish nation.”

There lies the crux of the problem so far as Ireland is concerned. For Ireland has never, in the whole course of her history, been *a single nation*. Before the first English invasion of Ireland, now more than seven centuries ago, Ireland was split up into a number of rival factions. Racial antipathies from that time onward have never been dissipated, and rival parties have never been able to settle their differences. Will it tend to the peace or welfare of Ireland that Ulster, admittedly smaller in numbers, should be under the heel of the Nationalists? This difficulty is admit-

ted even by the supporters of the Bill, but these gentlemen urge that "safeguards" are provided in the Bill by which the rights of the minority will be adequately protected. Hear what Mr Dillon had to say on this matter of safeguards at Salford, on November 21, 1911:—

"Then there was the question of guarantees. The Irish Party were asked if they were willing that guarantees should be inserted in the Home Rule measure to protect the Protestant minority. I attach no importance to those guarantees at all. I do not believe that artificial guarantees in an Act of Parliament are any real protection."

After a statement such as that nothing further need be said on this point. Then, again, the loyalists in Ireland are exhorted to put their trust in the "toleration" of the Nationalists. So they were in 1898, when Local Government was given to Ireland.

"We desire toleration," said Mr Redmond on September 13, 1898, "in the public life of Ireland. For my part,—and I know I speak in the name of the Parnellites of Dublin,—for my part, I would be willing to give them . . . all through Ireland a fair, I would even say a generous, share of representation."

What has been the result?

MEMBERS OF IRISH COUNTY COUNCILS.

	Unionists.	Nationalists.	Indefinite.	Radical.	Total.
Ulster . .	115	122	2	10	249
Munster . .	2	225	—	—	227
Leinster . .	12	317	4	—	333
Connaught .	1	142	—	—	143
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total . .	130	806	6	10	952

“Ulster will fight, and Ulster will be right,” because she knows that upon the maintenance of the Union depends her welfare, her liberty, possibly even her political existence. But will such an impasse be good either for Ireland or for the Empire?

Again, since the Wyndham Land Act of 1903, aided by the unselfish devotion of Sir Horace Plunkett, the face of Ireland has been changed.

“Twenty-five years ago,” said Mr Redmond, in the Carnegie Hall, New York, “the Irish farmer could not call his soul his own. All incentive to labour was taken away from him. With your help we have emancipated the peasantry. One-half of the whole area of Ireland is now owned by the Irish. Fifty per cent more is being got out of the soil than ever before. The land is dotted with happy homes of emancipated people. The mud hovels are being re-

placed by decent slate homes, with flowers around them, on plots rented to them at ridiculously low figures. England not only impoverished Ireland, but condemned her to ignorance. Now the schools are being rebuilt, the teachers are getting better pay, and we have established a great democratic University."

Judged by any test, the increasing prosperity of Ireland reads like a fairy tale. Was not Lord Salisbury abundantly justified when he said, "Give me twenty years of firm government, and you will see that the government of Ireland will become a matter perfectly practicable and easy"? The great statesman during the debate on the second reading of the Home Rule Bill in 1893 said—

"I will give you the policy which we recommend in the language of two great men. One shall be the language of Mr Gladstone: 'Patient continuance in well-doing,' and the other shall be the language of President Lincoln, 'Keep on pegging away.'"

But will the good work be continued under the Nationalist Parliament?

"I tell these men [*i.e.*, the landlords]," said Mr Dillon in October 1911, "that the sands in the hour-glass are running out fast. Home Rule is coming,

and we will get it, whether they like it or not, and when Home Rule has come, and there is an Irish Parliament sitting in Dublin, I do not think they will get English Ministers to trouble themselves much about their woes in future. They will make their bed with the people of Ireland, and, be it long or short, they will have to be on that bed. It is better for them to make friends with their own people while there is yet time."

In the face of these facts, who can honestly say that Home Rule will benefit Ireland? Has not the remarkable prophecy of Adam Smith, written before the Act of Union had been passed, been amply justified by events?

"By a union with Great Britain Ireland would gain besides the freedom of trade other advantages much more important, and which would much more than compensate any increase of taxes that might accompany that Union. . . . Without a Union with Great Britain the inhabitants of Ireland are not likely for many ages to consider themselves as one people."

But, if Home Rule will not benefit Ireland, *cui bono*?

Can any one be found who will seriously affirm that Great Britain will be the gainer if the scheme is carried through? Mr Gladstone in 1886, and again in 1893,

relied upon precedents created in other countries. On April 8, 1886, he referred to Norway and Sweden :—

“With two countries so united, what has been the effect? Not discord, . . . but a constantly growing sympathy, and every man who knows their condition knows that I speak the truth when I say that in every year that passes the Norwegians and the Swedes are more and more feeling themselves to be the children of a common country, *united by a tie which is never to be broken.*”

He relied also on the case of Russia and Finland :—

“What do you say to the case of Finland? Finland has perfect legislative autonomy, the management of her own affairs, the preservation of her own institutions. That state of things has given contentment to Finland, and might be envied by many better known, and more famous parts of the world.”

In 1893 he felt bound to modify his former opinion, so far as Norway and Sweden were concerned, but he added—

“I have paid some attention to the case of those countries. I feel a great interest in them, and I am perfectly persuaded that if common-sense and moderation prevail, that Union will be maintained, and will become firmer and firmer for the blessing of many

generations. . . . My fourth proposition is that Unions accompanied with legislative autonomy have been attended in all cases with success, either complete or considerable. I think that it will be admitted that Austria-Hungary offers to us a case of considerable success. They have saved Austria-Hungary from a terrible danger, and they have established her upon the whole in a condition of honour, tranquillity, and strength. Long may that continue!"

For obvious reasons no one is prepared to rely on these precedents to-day. Mr Asquith sought to support the theory that Home Rule would be very beneficial to Great Britain on one ground alone, that it would relieve the pressure of business in the Imperial Parliament. But would it? Surely this would only be the case if Ireland ceased to send representatives to Westminster, and a distinction could be drawn between Irish and Imperial affairs.

On the contrary, is it not quite certain that unless Great Britain parts company with Ireland she will never be able to part company with Irish affairs? And yet, upon the flimsy pretext that there will be less business at Westminster, Great Britain is asked to consent to the disintegration of

the United Kingdom. No other ground is given; no other ground can be suggested. Just consider what the position of the "predominant partner" would be if Home Rule became *un fait accompli*. "What is the distinguishing mark of the Act of Union?" Lord Hartington asked in 1886. "It is the creation of one Sovereign Legislature, which is thenceforth the sole legislative body for the Kingdom of Great Britain and Ireland." That will be given up. "The real unity of a Kingdom," said Sir Henry James in the same debate, "must depend upon the unity of its laws. I do not mean by that that there must be identity of laws. But what I mean is, that there must be a power which can make identical laws for a Kingdom supposed to be united." Yes, but in future there will be different laws in Great Britain and Ireland, and the laws will be administered in a different spirit. Further, while Ireland is to pay nothing towards Imperial Defence and other National charges, she will receive a sum of at least £2,000,000 a-year, to enable her to carry on without becoming

bankrupt, *out of the pockets of British rate-payers*. Nay, more, the Irish Parliament will be at liberty to set up Customs Houses, and, as specified in the Bill, to levy Customs Duties upon goods imported into Ireland. The importance of this concession it is impossible to exaggerate. It is strenuously urged by the Radical Government that it is not the intention of the Government to set up a protective system in Ireland; but if these protestations are genuine, what was the use of giving power to Ireland in the Bill to levy Customs Duties at all?

But, it will be said, "of course, Great Britain will have some control over Irish affairs in these circumstances." Not at all. Great Britain is to have no control over Irish affairs, while 42 Irish members are to sit in the House of Commons at Westminster, and exercise control over the local affairs of England, Scotland, and Wales. What can possibly be said in favour of such a scheme as this?

However, untenable as the financial provisions in the Bill are found to be, the main objection to Home Rule from the

point of view of Great Britain is derived from strategical rather than from financial considerations. Sir Robert Peel, in 1834, stated the fundamental case against Home Rule for Ireland in two words, "*opposit natura.*" Great Britain cannot afford to have an autonomous nation at her very doors. The story of Ireland from the very earliest days of English rule proves this beyond all controversy. How often have the enemies of England turned their eyes to Ireland as a vantage-ground from which they might attack the main island! Englishmen hope and believe, notwithstanding disloyal utterances by Nationalist leaders in the past, that the dominant party in Ireland would not prove, in any time of trouble, a thorn in the side of Great Britain. But the preservation of the heart of the Empire is not a matter which can safely be left to depend upon the continued loyalty of Irishmen, any more than the naval supremacy of the British Empire can be allowed to depend upon the goodwill of foreign nations. Political changes may crowd one upon the other, but the geo-

graphical position of the two islands remains unchanged; and, because of their physical proximity to each other, the two Kingdoms must remain united for their mutual protection and welfare.

Now, if this reasoning is sound, what need is there of further argument? Such a scheme must surely be inimical to the best interests of the British Empire. Nevertheless, curious though it may appear to be, Home Rule for Ireland is frequently advocated upon the very ground that it is consistent with the course of Imperial development, and a further step towards Imperial consolidation. Failure to understand the trend of Imperialist movement has not infrequently won a convert to the Home Rule cause. It is well to think the matter out.

Are there not two separate and distinct movements stirring within the Imperial organism of the British Empire?—the movement of the minor bodies which together form each Imperial unit, and the movement of the several units themselves towards the Imperial entity, of which they in their turn are the constituents. Take,

for example, the latest unit in the British Empire, United South Africa. Is it not true that the minor bodies—Cape Colony, the Orange Free State, the Transvaal, and Natal—are gradually substituting for their sense of nationhood the broader spirit of Imperialism, as their legislative powers become more and more concentrated in the Parliament of United South Africa? On the other hand, while the self-governing Dominions of the Crown—Canada, Australia, New Zealand, United South Africa—have for all practical purposes won for themselves complete legislative independence, are not these great Imperial units, so far as relates to “common affairs” within the Empire (such as defence, foreign policy, and external trade relations), also moving each year nearer an Imperial Council of Control? That, surely, and nothing else, must be the meaning of Imperialism in the future. Now, in which category would Ireland under Home Rule be placed? Is she to be like United South Africa, or like Cape Colony? Just think what the policy of Home Rule means.

Mr Asquith, when introducing the Bill in 1912, said—

“I myself, while recognising to the full the priority and paramount urgency of the Irish claim, have always presented the case for Irish Home Rule as the first step, and only the first step, in a larger and more comprehensive policy.”

Mr Churchill and Mr Lloyd George would go further still. Mr Lloyd George, interviewed by ‘The Pall Mall Magazine’ in June 1905, said—

“As for Home Rule, I want local self-government not only for Ireland, but for Scotland, Wales, . . . and, let us say, local self-government for the West of England, which is largely Celtic. Take Yorkshire, again. Why should Yorkshire have all the trouble and expense of bringing its local affairs to Westminster? Many people think that Yorkshiremen possess superior intelligence—that they are capable of managing their own affairs much better than any one else. My ideal is the Heptarchy.”

If Ireland under Home Rule is to be permitted to take her place in the category of the self-governing Dominions, then the measure before Parliament will not effect the object which Mr Asquith has in view; for Canada, Australia, New Zealand, and

South Africa are *separate nations*, enjoying complete and unfettered independence, and, moreover, unaided by a subsidy from the Mother Country. But we are told that the principle of Home Rule is to be indefinitely extended. Is it really intended that Ireland and the various parts of England, Scotland, and Wales are to be independent nations, each with a separate Parliament and unrestricted power of levying customs duties on imported goods? Such a thing is not conceivable. If, on the other hand, Ireland under Home Rule is to stand in relation to Great Britain as Cape Colony does to United South Africa, how can the scheme of Home Rule be said to be consistent with the process of Imperial development which in such a case is tending towards consolidation rather than devolution? The relationship in which Great Britain and Ireland would stand towards each other under the suggested scheme of Home Rule could not be reconciled with either the one process of Imperial development or the other. It would be as painful as it would be unique. In 1886 Mr Finlay (now Sir Robert Finlay) referred

in this connection to Lord Macaulay's description of the Siamese Twins. Under such a political system Great Britain and Ireland would be

"united by an unnatural ligament, making each the constant plague of the other; always in each other's way; more helpless than others because they had twice as many hands; slower than others because they had twice as many legs; not feeling each other's pleasures, but tormented with each other's infirmities, and certain to perish miserably by each other's dissolution."

In the Imperial organism of the future the United Kingdom must form a single, although the most important, unit, and to the Union of England, Scotland, Ireland, and Wales the principle of federation is not applicable. "Federation," said the Bishop of Ripon in 1893, "is surely a step forward when it combines unconnected and semi-coherent countries. It is a step backward when you are disintegrating a United Kingdom."

Consolidation, and not disintegration, is the fundamental principle of true Imperialism, and the touchstone of Imperialism must be Free Trade within the Empire, and

Protection against the outside world. In such a system the policy of the Home Rule Bill can have no place. It is well to remember that it was by an ever-widening Customs Union that the German Empire was evolved between July 1806 and November 1870, and that it was only by a Customs Union, adopted in 1789, that the difficulties which threatened to destroy the newly-formed United States of America were finally overcome. The story is well told in Oliver's 'Life of Alexander Hamilton.'

"Power, prosperity, and consideration, which all men affected to desire, were only to be had on terms which the States could not bring themselves to pay, . . . the 13 States proceeded to indulge themselves in the costly luxury of an internecine tariff war. The States with sea-ports preyed upon their landlocked brothers, and provoked a boycott in return. It was a dangerous game, ruinous in itself, and behind the Custom House officers men were beginning to furbish up the locks of their muskets."

At last, in 1789, Hamilton's dream was realised, and an effective Customs Union was formed between the several States.

The Home Rule policy of setting up Customs Houses within the Empire is the

very negation of true Imperialism, for, as Hamilton pointed out,

“An unity of commercial as well as of political interests can only result from a unity of government.”

Who can doubt that Adam Smith, the father of modern Imperialism, was accurate when he wrote that

“the trade between all the different parts of the British Empire would, in consequence of the uniformity in the Custom House laws, be as free as the coasting trade of Great Britain is at present. The British Empire would then afford within itself an immense market for every part of its different provinces.”

The principle of Home Rule, then, is found to be disastrous to Ireland, dangerous to Great Britain, and inconsistent with the development of true Imperialism. It is not possible for every man to master the intricacies of Home Rule finance, but every loyal subject of the Crown is in duty bound to make an effort to understand what Home Rule really means. Once let the British electors appreciate the facts of Home Rule as they really are, and the end will be near at hand. The loyalists of Great Britain will join hands with the

loyalists in Ireland, and will drive from office the servile Coalition whose members are the sponsors for the Bill. As Lord Macaulay in 1845 stated in dignified and memorable words—

“The repeal of the Union we regard as fatal to the Empire, and we will never consent to it; never, though the country should be surrounded by dangers as great as those which threatened her when her American Colonies, and France, and Spain, and Holland were leagued against her, and when the armed neutrality of the Baltic disputed her maritime rights; never, though another Bonaparte should pitch his camp in sight of Dover Castle; never, till all has been staked and lost; never, till the four quarters of the world have been convulsed by the last struggle of the great English people for their place among the nations.”

V.

WHAT IS SOCIAL REFORM?

“The people never give up their liberties but under some delusion.”—BURKE.

WHAT IS SOCIAL REFORM?

A COMMENTARY upon the social condition of Great Britain to-day from the pen of, say, Lord Palmerston or of Mr John Bright, or one might even add of Mr Gladstone, would prove fascinating reading. The leaders of the great political parties in the Victorian era may sometimes have lacked foresight in political matters, — the Manchester School, for instance, singularly failed to appreciate the supreme value to Great Britain of her colonial possessions, — but they were rarely found wanting either in conviction or in character. The men under whose guidance Great Britain reached the zenith of her political and industrial supremacy were, above all things, jealous to preserve the spirit of sturdy independence which had always been the peculiar characteristic of Englishmen. Is it not probable that the

first criticism of such men as these upon modern England would be that Englishmen to-day are in serious danger of selling their individual liberty—the birthright of every Briton—for a mess of Radical legislation?

Is it conceivable that Englishmen in mid-Victorian times would have delivered themselves and their country into the hands of an uncontrolled House of Commons? Would the Englishman of Lord Palmerston's day have submitted to bullying or espionage at the hands of the innumerable inspectors and other officials who have been fastened, like leeches, upon the community by the Radical Government under guise of the Insurance Act, the Shops Act, and Mr Lloyd George's Budget? Do the electors realise the extraordinary powers with which inspectors, for example, under the Insurance Act are invested? Under section 112 of that Act, an inspector becomes entitled to enter and examine for the purposes of the Act any premises or place other than a private dwelling-house not being a workshop, and to examine alone or otherwise as he may think fit, "every person whom

he finds in any such premises or place," and to require every such person to sign a declaration that what he or she has told the inspector is true. In the form in which the Bill passed its second reading, even private dwelling-houses were included among the premises or places liable to examination, and if Mr Lloyd George had not been pleased in Committee to exempt private dwelling-houses from the operation of the clause, provided they were not also workshops, it would have been made impossible, under the Act, for any one to elude these paid inquisitors, no matter who or where he might be! Is it really becoming a matter of indifference whether an Englishman's house is to remain his castle or not?

Moreover, the modern system of public espionage is as objectionable in its matter as in its methods.

"We do not only ask to-day, 'How much have you got?' We also ask, 'How did you get it? Did you earn it yourself, or has it just been left you by others? Was it gained by processes which are in themselves beneficial to the community in general,

or was it gained by processes which have done no good to any one, but harm?' That is the new question which has been postulated."—(Mr Churchill at Leicester, September 5, 1909.)

Not only are Englishmen nowadays harassed by forms of supervision and inquisition entirely at variance with the spirit which hitherto has inspired legislation in this country, but there is an increasing tendency on the part of the Legislature to endeavour to oust them of their right to seek redress from Courts of Justice if an injury has been inflicted upon them. The sinister practice of providing that all questions which may arise in the course of the administration of Acts of Parliament shall be decided by a Government Department without recourse to a Court of Justice is growing apace. It may be roundly stated that unless this practice of depriving British citizens of their undoubted right of appeal to Courts of Justice is discontinued, the very foundations of individual liberty will be seriously undermined. It must be borne in mind that in a dispute of this nature the

Departmental Tribunal becomes in effect the judge in its own cause, for the complaint which is lodged is almost invariably laid against an official of the very Department which has been appointed the *persona designata* to decide the matter. "The Legislature," as Lord Justice Farwell has pointed out, "appears to have trusted to that control over Government Departments that the House of Commons possesses, and which is usually enforced by question and answer in the House."¹ But the facts of the now notorious Swansea School case, and other recent cases in which the conduct of Government Departments has been adversely criticised by the Courts, are proof enough of the difficulties with which the applicant may be confronted. Nay more, the Radical Government appear to be not unwilling to boast of the success which has attended their efforts to use their administrative powers as Ministers of the Crown for the benefit of their own supporters. Mr Asquith, on March 30, 1911, went so far as to write to Mr Hay Morgan, M.P., who

¹ *In re Weir's Hospital*, 1910, 2 Chancery, p. 139.

had pressed upon him the advisability of introducing a further Education Bill, "I may also remind you of the relief which the Government has been able to afford to Nonconformists by *their administrative action*." Where could be found a more shameless or disgraceful utterance by a British Minister? Again, would it have been possible for a Home Secretary, fifty years ago, to refuse the protection of the Law to peaceable citizens on the ground that their endeavour to obtain legitimate employment was "provocative" action which might offend a body of strikers, who not only had repudiated the advice of their leaders, but were asserting the right to hold up the food-supplies of the metropolis unless and until their demands were unconditionally conceded? Are we not rapidly approaching "a form of democracy in which not the law but the multitude have the supreme power, and supersede the law by their decrees? That is a state of affairs brought about by the demagogues, . . . and the people, who is now a monarch, and no longer under the sway of law, seeks to

exercise monarchical sway, and grows into a despot: the flatterer is held in honour, this sort of democracy being relatively to other democracies what tyranny is to other forms of monarchy. The spirit of both is the same, and they alike exercise despotic rule over the better citizens. And, therefore, the demagogues grow great, because the people have all things in their hands, and they (*i.e.*, the demagogues) hold in their hands the votes of the people who are too ready to listen to them.”—(Aristotle, *Politics*, Book iv. 4.)

Every one who gives the matter the least consideration, knows only too well that by these and other similar devices encroachments are being made upon the liberties and privileges of the people. But why is nothing done? “There is a limit,” as Burke once said, “at which forbearance ceases to be a virtue.” Why, then, have the electors allowed the Radical Government so long to pursue their sinister practices unashamed and unrebuked? The reason is that large masses of the proletariat have been deluded into believing that, by surrendering them-

selves and their liberties into the hands of the Government, they will gain for themselves material and social advancement. Many a trade unionist, as those who have worked amongst them can testify, will nowadays vote for the policy suggested by his leaders, not because the policy coincides with his own views, but because he has been persuaded that it will be more to his advantage to put himself unreservedly in the hands of the officials of his Union than to act upon his own independent judgment. And, in like manner, the overwhelming majority of Radicals have come to believe that if they invest the Government with unfettered authority, the Government will be able to exercise its powers to advance the interests of their class at the expense and to the detriment of the other classes of the community. No greater delusion could be imagined. Even if the doctrine were well founded, such a course would still be inimical to the true welfare of the community, for it involves loss of independence and loss of moral character. But in truth, the doctrine is wholly fallacious and mis-

leading. "You can only make the poor richer," it is urged, "by making the rich poorer." On the contrary, it is no more possible to injure one part of the community without injuring the whole body politic, than it is to injure one portion of the human body without injuring the organism as a whole. The doctrine that the ultimate interests of the several classes in the State are opposed to each other was exploded at least 2300 years ago. The story is well told in Dr Liddell's history of Rome. The "working" classes of Rome, dissatisfied with their social conditions, had left the city, and had refused any longer to serve under those who hitherto had employed them. Menenius Agrippa thereupon told to the disaffected citizens the following fable: "In times of old, when every member of the body could think for itself, and each had a separate will of its own, they all with one consent resolved to revolt against the belly. They knew no reason, they said, why they should toil from morning till night in its service, while the belly lay at its ease in the midst of all and indolently grew fat upon

their labours. Accordingly, they agreed to support it no more. The feet vowed they would carry it no longer; the hands that they would do no more work; the teeth that they would not chew a morsel of meat, even were it placed between them. Thus resolved, the members for a time showed their spirit and kept their resolution. But soon they found that, instead of mortifying the belly, they only undid themselves; they languished for a while, and perceived too late that it was owing to the belly that they had strength to work and courage to mutiny!"

Does not the record of the present Government help to elucidate the matter? What has been the result of six years of class legislation and sectional animosity? There have been 3317 trade disputes, affecting 2,407,812 workmen, and entailing the loss of 34,740,323 working days. 1,156,610 persons have emigrated, and 680 million pounds have been invested out of the country. These facts are incontrovertible. Do they not also demonstrate the absurdity of the social delusion which has been practised upon the people? What is to be put

into the scale on the other side? The Eight Hours Miners Act, the Old Age Pensions Act, the Insurance Act, the Shops Act, and the "People's Budget." If old age pensioners and those who obtain a half-holiday are for the moment excluded, is there a single member of the community, except the newly appointed officials, who can be said to have benefited by these measures? Mr Brace, M.P., stated in the House of Commons on March 26, 1912, that "before the Eight Hours Act came into operation they got more wages than this (*i.e.*, 5s. and 2s.), because they were allowed to work overtime"; and, notwithstanding the "rare and refreshing fruit" that has been so incontinently promised, Mr Asquith was compelled to admit on June 21, 1912, that "there is no doubt we are face to face with a very substantial rise in the prices of necessities, which has not been met by a corresponding increase in the rate of wages." Radical politicians never weary of reiterating to complaisant audiences their promises of social reform; but it is not unimportant to inquire what they mean by the term which they use. Rhetoricians of this

school, almost without exception, invite their hearers to believe that it is possible to advance the interest of one class of the community by inflicting injury upon another; but if that is what Radicals mean by social reform, surely the experience of the past six years should be sufficient to satisfy the most hardened supporter of "progressive principles" that the policy is foredoomed to failure! The body politic, like the human body, is not made up of component parts shut off from each other, as it were, by water-tight compartments, but is an organism with arteries running through it from end to end, and with a nervous system so delicately adjusted that when one member is injured all the members suffer with it. Social reform on these lines always has proved, and always will prove, a failure; and it should not be beyond the power of Unionist workers to make clear to the people the truth of so obvious a proposition.

Social reform, properly understood, bears a very different meaning. It is the policy of elevating the moral character and improving the skilled capacity of the people.

If the matter is thought out, it is seen that the real assets of a nation are not its coal-mines or its wheat-fields, but the skill and character of its members. Without the former, a nation can exist; without the latter, it must surely perish. That social reform in this sense is desirable all are agreed, but the Unionist and Progressive parties differ profoundly with respect to the means by which the end is to be obtained. Unionists wish to level up; Progressives, whether they be Radicals or Socialists, wish to level down. Unionists believe that the State should be moulded by individual citizens; Progressives believe that individual citizens should be moulded by the State. Progressives desire the State to control both its subjects and its resources, and thereout to provide a livelihood for individuals; Unionists hold that it is the duty of the State to assist individual citizens to provide a livelihood for themselves. The difference in outlook between the two parties is fundamental and irreconcilable; and a social programme, whether it relates to land, or education, or temperance, or the regulation

of industrial conditions or the poor law, must be judged to be statesmanlike or the reverse in so far as it conforms to the one principle or to the other.

It is easy to illustrate the practical working of the two policies. Progressives wish the State to own the land and to parcel it out to occupiers; Unionists hold that the State ought to assist occupiers to acquire the freehold of the land they till for themselves. Unionists desire to see the children in elementary schools taught the religion approved by their parents; Progressives, the religion (if any) approved by the County Council. Progressives hold that Englishmen should be compelled to consume alcoholic beverages only at such times and places as are approved by local public opinion; Unionists believe that an Englishman, within well-defined limits, is entitled to use his own discretion in the matter. Mr Lloyd George, in the course of a speech delivered at Birmingham on June 11, 1911, pithily expressed the Radical principle as follows: "I will tell you what is wanted in this country and in many others. You

want to cultivate in the State a sense of *proprietaryship* in these [*i.e.*, industrial] workers." It would be difficult to exaggerate the complete *volte-face* which Radicals have executed in this matter of social reform. Let any one wander through the villages of Scotland and those parts of the North of England where Radicalism abounds, and in nearly every cottage the portrait of Mr Gladstone will be seen hanging in the place of honour on the wall. It is the duty of Unionists to make these people understand that they cannot consistently give their support to Mr Asquith, and at the same time adhere to the principles which Mr Gladstone propounded. The principles of social reform in which Radicals until recent times believed are well set out in the memorable words of Sir William Harcourt. "If there be any party which is more pledged than another to resist the policy of restrictive legislation, having for its object social coercion, that party is the Liberal party. The proud title which it has assumed proclaims the principle on which it is founded to be that of liberty. Liberty does not consist

in making others do what you think right for them. The difference between a free Government and a Government which is not free is principally this,—that a Government which is not free interferes with everything it can, and a free Government interferes with nothing except what it must. A despotic Government tries to make everybody do what it wishes. A Liberal Government tries, as far as the safety of society will permit, to allow everybody to do what he wishes. It has been the tradition of the Liberal party to maintain the doctrine of individual liberty. It is because they have done so that England is the country where people can do more what they please than in any other country in the world. . . . *It is this practice of allowing one set of people to dictate to another set of people what they shall do, what they shall think, what they shall drink, when they shall go to bed, what they shall buy and where they shall buy it, what wages they shall get and how they shall spend them, against which the Liberal party has always protested."*

Let us apply the fundamental test of

principle to these inconsistent social policies. Which is the policy most likely to engender competence in work and independence in character? There is not a shadow of doubt what the answer of every reasonable man will be! Throughout any investigation into the Unionist and Progressive programmes of social reform, this fundamental difference in outlook between the two parties must never be lost sight of. It is not necessary to draw any distinction between the social policies put forward by Radicals and by Socialists; for, as Mr Balfour pointed out at Birmingham in September 1909, "the old Radical thinker is extinct, and has been followed by a modern gentleman who does not think, but who accepts, with or without thinking, small fragments of doctrine from socialistic gentlemen who support him below the gangway." Again, Lord Crewe stated at Doncaster on 1st March 1907 that "they could not settle this question [*i.e.*, the land] by any system of creating small proprietors. . . . It was upon *socialistic rather than upon individualistic lines* that this question

would have to be settled." One of the most pitiful features of modern Radicalism is the rapidity with which, in their social policy, they are "running down a steep place into the sea." So far as social reform is concerned, the programmes of Mr Lloyd George, Mr Outhwaite, Mr Ure, and Mr Keir Hardie are each only variations of the same scheme. At a time when Radicals are attempting to galvanise into life yet another crusade against the land, it is important that there should be no mistake made on this point. Each and all of them encourage their audiences to sing, "God gave the land to the people," but not one of them intends that a single acre of land shall ultimately be owned by any member of the public. The "land for the people" is one of the most misleading catchwords, as well as one of the most unmistakable delusions, that has ever been invented by Radical politicians for the purpose of gulling a confiding proletariat!

Mr Asquith, at Earlston, on October 3, 1908, explained the meaning which Radicals attach to the words, "the land for the

people," as follows: "I will not to-day repeat the arguments with which everybody in Scotland is now familiar; arguments based upon experience and common-sense which have led us to believe that, both in England and Scotland, the most hopeful form of tenure for the small holder is not that of a proprietor, but that of an occupying tenant." Mr Harcourt, during the debate in the House of Commons on the second reading of the Small Holdings Act, 1907, expressed in similar terms the principle which underlies the Radical land policy: "If I thought that under the Act of 1892 there was likely to be a large amount of purchase by tenants in the future, I should be inclined to limit, rather than to extend, the facilities for that purpose. So convinced am I that for a great national purpose such as this, tenancy under a public authority, and the acquisition of land under that authority, is the most satisfactory solution of the question." It is true enough that Radicals desire to deprive the existing landlords of their interest in the land, but it is equally

certain that they have not the faintest intention of abolishing "landlordism." The "land for the people" means the transference of the ownership of land from private landlords whom you can squeeze, to public authorities whom you cannot squeeze. It means that, and nothing more. The occupier is still to remain a tenant, but in the future his landlord is to be a public authority which, as the trustee of public monies, cannot afford "to take special circumstances into consideration," and, being an impersonal body, is quite indifferent to the human element which plays so important a part in the true relationship of landlord and tenant. The tabular illustration taken from Cornwall of the "advantages" which occupiers may expect to gain under the Radical Small Holdings Act, 1907, may be not without interest to agriculturists (see p. 173).

It is urged that occupiers will possess greater security of tenure when they hold under public authorities than they do now under a system of private ownership; but so long as a tenant is regular in paying

his rent, and continues to work his holding with industry, it is not probable that any landlord, public or private, would be anxious to part with him. On the other hand, when evil days come upon him, is a tenant more likely to receive consideration from a public authority or from a private

The places where the farms are.	The acreage of the farms.	The price paid for each farm.			The rent paid for each farm before the County Council bought it.			The new rent payable for the same farm by the small holders.			The increase of the new rent upon the old rent.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Goosewartha, St Agnes	162	2750	0	0	86	10	0	170	5	0	83	15	0
Laity, Redruth . . .	209	5500	0	0	183	19	6	352	0	0	168	0	6
Lampetho, Tywardreath	216	4260	0	0	230	0	0	344	0	0	114	0	0
Lowertown, Landrake .	127 $\frac{1}{2}$	4750	0	0	200	0	0	254	0	0	54	0	0
Lydcott, Morval . . .	267 $\frac{1}{2}$	5600	0	0	243	12	6	431	5	0	187	12	6
Menerdue, Stithians .	239 $\frac{3}{4}$	4972	15	0	175	0	0	341	16	0	166	16	0
Mithian, St Agnes . .	178 $\frac{1}{2}$	6350	0	0	238	0	0	359	10	0	121	10	0
Resparva, St Enoder .	87	1750	0	0	60	0	0	112	10	0	52	10	0
Treskinnick and Ney-downs, Poundstock .	139 $\frac{1}{2}$	1600	0	0	95	0	0	130	10	0	35	10	0

individual? The truth is, that the Radical policy of collective ownership can no more stand the test of criticism than their reiterated claim to be social reformers can be squared with their legislative achievements! Will collective ownership tend to encourage independence of character and

efficient husbandry? Surely the tendency will be exactly the other way. The Radical land policy will no doubt cripple the present class of landed proprietors. It is equally clear that it will in no way promote the social welfare of the agricultural community.

The Unionist policy with regard to land is, so far as the different conditions which prevail in this country will allow, to extend to the tenant-farmers of Great Britain the Unionist land legislation which has worked so admirably in Ireland. Unionists do not desire to see the present relationship of landlord and tenant entirely superseded by a system under which the occupier is in every case the owner of the freehold, but it must be recognised, as Lord Lansdowne pointed out on July 24, 1912, "that there are a great many owners of land who are no longer willing, or perhaps it would be more correct to say, no longer able, to bear the heavy sacrifice and responsibilities which are inseparable from the ownership of land. Rents, as we know, have fallen; they have slightly recovered of late, but they still

remain far below the old standard. Burdens of all kinds are increasing at an abnormal rate. The rates increase, the taxes increase, and at intervals there are charges for estate duty which very often absorb a not inconsiderable slice of the capital value of the estate. To these considerations I might add that many estates are suffering from the old, and I think I must add disastrous, custom of piling all the family charges and obligations upon the land. The combined effect of all these things is that the old tendency to accumulate land has been replaced by a tendency to disperse it." In these circumstances, it is obvious that the ownership of a large section of the agricultural land of this country must pass into other hands. Who can doubt that, where it is practicable, the new owners should be the sitting tenants, and not the State or a public authority? The Unionist policy of offering State assistance to the tenant, not only for the purpose of acquiring the freehold of his holding, but also of guaranteeing the credit of co-operative rural Banks, has met with remarkable success both in Ireland and on the Continent. Why

should the State, which has advanced over one hundred millions of British money to assist land purchase in Ireland, refuse to advance the twelve millions which, under Mr Jesse Collings' Land Purchase Bill, is required to finance a similar scheme in this country? Such a policy conforms to the principle which must underlie all real social reform, for the "magic of property" engenders a spirit both of enterprise and of independence. "I think it is obvious," said Lord Lansdowne, "that no tenure can give the cultivator of the soil the same feeling of complete security, the same intense interest in the land which he cultivates, the same feeling of responsibility, and the same feeling of social dignity, which complete possession gives." That is an assertion which surely no one can controvert. The Unionist land policy, sound though it be, must not, however, be pressed too far. While it is desirable that the number of landed proprietors should be increased, it must be remembered that it is not so light a task as some people seem to imagine to make a living out of a small holding. The small

holder can rarely make his venture a success unless he possesses personal skill, a fruitful soil, and a market within easy reach. Where these conditions obtain a large increase in the number of small holdings will prove, not only a blessing to the new proprietors, but a most efficient bulwark against the inroads of Socialism. It is possible, therefore, with Mr Balfour, "to look forward with hope and great expectation to the time when a Government may come in, not hampered, clogged, and bound by socialistic crotchets, which may adapt to the very different conditions of life in this country what a Unionist Government has already done with such marked success for a sister island."

It will not suffice, however, to settle the agriculturist on his holding unless, at the same time, steps are taken to provide those who are engaged in agriculture with adequate housing accommodation. The Bishop of Wakefield stated at the Church Congress on October 2, 1912, "that in many country districts there was approaching something like a house famine. The old sources of supply for rural housing were drying up, and

new sources had not yet become available. Recent economic and legislative changes had hit the landowner very hard, and, with few exceptions, he could no longer build. Making full allowance for improvidence and intemperance, it was true that thousands of working-class families were compelled, through no fault of their own, to live in homes which were a scandal to civilisation and a disgrace to our Christianity." And there is no doubt that this view is, at any rate to some extent, in accordance with the facts. The problems connected with the housing of the working classes, both in town and country, have from time to time been tackled by the Conservative party, and now urgently call for further consideration. In one way only can the housing problem be satisfactorily solved, and that is by State advances for the purpose of reconstruction and rebuilding, secured upon the premises in respect of which the advances are made. But advances for the purposes of land purchase and housing accommodation must go hand in hand, and it is idle to expect that much progress can be made towards solving

the housing question until the rival provinces of collective and private ownership have been defined and adjusted. In urban districts, however, a beginning has already been made upon the lines suggested under the Unionist Small Dwellings Acquisition Act, 1899, which empowers local authorities to lend money to enable artisans, clerks, and others to become the owners of the houses in which they live. The policy of this Act must now be extended, and applied to rural as well as to urban districts.

It would be folly, however, on the part of the working classes to expect from the Radical party any help in forwarding this urgent scheme of social reform. Not only have the Acts relating to the better housing of the working classes been almost exclusively the product of Conservative statesmanship, but the present Radical Government have gone out of their way during the current session to stultify a Bill promoted by Unionists for the purpose of quickening up the abolition of slum areas by local authorities, and extending the provisions of the Small Dwellings Acquisition Act, 1899. Notwith-

standing repeated promises of social reform on the part of the Radical party, it appears to be the privilege of Unionists to tackle, single-handed, the housing question, and they must press forward their programme with earnestness and conviction.

But the causes of discontent among the industrial classes lie even deeper than those connected with the housing problem, important though that question undoubtedly is. Six years of Radical oratory, directed to set Capital and Labour in antagonism to each other, have done much to embitter the estrangement which in many cases exists between employers of labour and their workmen,—an estrangement which is the almost inevitable result of the change in industrial relations brought about by the transference of commercial undertakings from private individuals to public companies. So long, however, as wages appreciate, and the standard of living is not abnormally raised, industrial difficulties seldom reach an acute stage.

The unhappy industrial conditions which prevail to-day are the result of appeals to

class hatred addressed by Radicals to workmen at a time when *a substantial rise in the price of necessities has not been accompanied by a corresponding increase in the rate of wages.* "There is," said Mr Churchill at Dundee on October 3, 1911, "one obvious and unmistakable cause of discontent among the wage-earners. The prices of food and necessities have risen in the last fifteen years more than wages," and Mr Chiozza Money, M.P., the favourite statistician of the Radical party, wrote on August 16, 1911, that "in fifteen years, while wages have risen little more than 12 per cent, food prices have risen by nearly 18 per cent, which means that real wages have actually fallen in the last fifteen years. Next, observe what has happened since 1900. In that period wages have been almost stationary, while prices have advanced about 10 per cent." The facts, therefore, are not in dispute. It is not unnatural, in the circumstances, that industrial disturbances should take place. The important question is, What can be done to relieve the present unsatisfactory situa-

tion? Have the Radicals any remedy to offer? Absolutely none. Instead of endeavouring to improve industrial wages, his Majesty's present advisers have devoted more than six years of office to carrying measures which must inevitably increase the cost of production, and thereby hamper British merchants in industrial competition, and at the same time depreciate the price of labour!

"The patient is suffering," said Mr Lloyd George, in the House of Commons in 1904, "not from too little taxation, but from too much expenditure, and the cure is to cut down expenditure, and that is the point which will have to be considered when the time comes. . . . The old tradition of Chancellors of the Exchequer was to reduce taxation. The line of new Chancellors of the Exchequer is to say, 'Look at my term of office! My predecessor put on five millions; I will put on fifteen millions. My little finger shall be bigger than his loin.' That is their claim to immortality. It is necessary to take a Chancellor of the Exchequer—in a parliamentary

sense—by the throat, and by refusing to continue these burdens to force him to reduce expenditure.” Where could be found a more apt criticism of the methods of Mr Lloyd George himself? The truth is, that industrial peace will never again be enjoyed in this country unless and until far more certain continuity of employment is secured for British industrialists than can ever be possible under the economic conditions which exist to-day. Lord Salisbury, speaking at Hastings on May 18, 1892, exposed the fundamental fallacy which underlies our present fiscal system with singular lucidity. “Forty or fifty years ago everybody believed that Free Trade had conquered the world, and they prophesied that every nation would follow the example of England and give itself up to absolute Free Trade. The results are not exactly what they prophesied, but the more adverse the results were, the more the devoted prophets of Free Trade declared that all would come right at last; the worse the tariffs of foreign countries became, the more confident were the prophecies of an early victory. But we see

now, after many years' experience, that, explain it how we may, foreign nations are raising, one after another, a wall, a larger wall, of protection around their shores, which excludes us from their markets, and, so far as they are concerned, do their best to kill our trade. We live in an age of a war of tariffs. Every nation is trying how it can, by agreement with its neighbour, get the greatest possible protection for its own industries, and, at the same time, the greatest possible access to the markets of its neighbours. This kind of negotiation is continually going on. It has been going on for the last year and a half with great activity. I want to point out to you that what I observe is that A is very anxious to get a favour of B, and B is anxious to get a favour of C, but nobody cares two straws about getting the commercial favour of Great Britain. What is the reason of that? It is that in this great battle *Great Britain has deliberately stripped herself of the armour and the weapons by which the battle has to be fought.* You cannot do business in this world of evil on those terms.

If you go to market you must bring money with you ; if you fight you must fight with the weapons with which those you have to contend with are fighting. It is not easy for you to say, 'I am a Quaker, I do not fight at all, I have no weapon,' and to expect that people will pay the same regard to you and be as anxious to obtain your goodwill and to consult your interests as they will be of the people who have retained their armour and still hold their weapons. The weapon with which they all fight is admission to their own markets—that is to say, A says to B, 'If you will make your duties such that I can sell in your market, I will make my duties such that you can sell in my market.' But we begin by saying, 'We will levy no duties on anybody,' and we declare that it would be contrary and disloyal to the glorious and sacred doctrine of Free Trade to levy any duty on anybody for the sake of what we can get by it. It may be noble, but it is not business. On these terms you will get nothing, and I am sorry to have to tell you that you are practically getting nothing."

Was not Mr Bonar Law abundantly justified when he stated on July 27, 1912, that "the greatest of all social reforms—a reform which would not so much benefit the working classes directly as enable them to help themselves—would be *a rise in the general level of wages throughout the country*"? But he added that "a general rise in the level of wages is only possible when there is an increased demand for labour, and there can only be an increase in that demand after there is an increase in our productive capacity. Such an increase is, in my belief, impossible until we have given to our workmen the advantages enjoyed by every one of our competitors. Our fiscal system is condemned by the universal experience of mankind. Throughout the whole world you will not find to-day any country so poor as to do it reverence." The people of this country, however, are exhorted to maintain the present system because, in Mr Churchill's view, "the idea of filching a million or two from neighbouring nations is contemptible, if not absurd"; and because, "if you increase prosperity in this country

by tariff reform, you increase it by throwing people out of employment in other countries. You are becoming prosperous by the misery of others" (Mr E. G. Hemmerde, M.P., Feb. 8, 1909). But is charity no longer to begin at home? Unionists, at any rate, conceive it to be the duty of British statesmen to put the interests of their own countrymen before the commercial prosperity of their foreign competitors! It is not the right to work, but the opportunity of finding work, which at the present time is denied to so many skilled workers in this country. If the material and social condition of industrialists in this country would be improved by a change of fiscal economy—and it has been demonstrated times out of number that this would be so,—it is surely the duty of all politicians to use their utmost endeavours to effect a revision of the tariff, however greatly such a course would inconvenience the inhabitants of foreign countries.

When once the meaning of social reform is understood, a test is found ready to hand by means of which the value of social pro-

grammes may be safely gauged, for unless the particular policy under consideration tends to promote the efficiency and independence of the people, it cannot be a measure of true social reform. Let British workmen be once secured in their employment, and increased capacity and independence of character will surely follow, to their own and their country's lasting benefit. Tried by this test, the social policy of Progressives will assuredly prove abortive, while the social policy of Unionists will as certainly be found big with blessings for the people. It is the duty of Unionists not only to think out for themselves the principles which must underlie all true social reform, but to offer to the electors the fruits of their investigations. Let the people be made to understand what the rival policies which are before the country really mean, and let the electors judge between them. Unionists may abide the result with equanimity. *Magna est veritas et prævalebit.*

VI.

OUR LOST MAGNA CARTA

THE TRADE DISPUTES ACT AND
REVOLUTION

“Principiis obsta. Sero medicina paratur
Quum mala per longas convaluere moras.”

OUR LOST MAGNA CARTA.

THE TRADES DISPUTES ACT AND REVOLUTION.

THE country is all too late beginning to realise the perils and the possibilities of Syndicalism. A general strike in the coal industry, following within a few months the disastrous railwaymen's strike of 1911, has stirred the feelings and thoughts of all classes in all civilised communities. Public opinion is not easily aroused in this country. "Le bal cherche le bon joueur" is a maxim equally true of politics and of tennis; but unfortunately the power of intelligently anticipating the trend of political events is a weapon rarely to be found in the intellectual armoury of the normal Englishman. The nation is often forewarned, she is seldom forearmed; and so it almost invariably

happens that when the blow falls, England, all unprepared, is left to "muddle through somehow" as best she can. In this crisis, however, the danger is too imminent to be overlooked, too near at hand to be disregarded. It is obvious that a temporary suspension of the railway or mining systems spells commercial disaster, that a prolonged suspension must result in the starvation of the people. Why are the strikers "holding the nation to ransom"? Can nothing be done to stay the progress of the industrial Juggernaut? Is it not possible to establish a permanent settlement, or is Syndicalism destined to develop into Revolution? Such questions as these are freely asked, and no satisfactory answer seems to be forthcoming.

Before attempting to suggest a remedy, the political physician must diagnose the disease. What, then, is the objective of Syndicalism? It is clearly not merely to secure "recognition" of the Trade Unions as the sole representatives of labour in industrial negotiations, for if that were so, why were the railwaymen employed on

the N.E.R.—which system had conceded the principle claimed—called out on strike? Nor is its purpose to secure a “living wage” for underground workers, for miners are among the most highly paid industrialists in the country! The programme of the Independent Labour Party supplies the answer, and it is nothing short of this,—the extermination of the capitalist, and the nationalisation, or semi-nationalisation, without purchase, of the means of production and supply.

It is the purpose of this chapter to demonstrate that Radical oratory and Radical legislation have gone far to fan the smouldering fires of discontent into the fiercer heat of rebellion, and that no remedy for industrial unrest will be possible unless and until the Trade Disputes Act, 1906, has been repealed or has suffered drastic amendment.

Now, Revolution invariably proceeds along the line of least resistance. The *coup d'état* by which the end is ultimately accomplished, in the whole record of history, has never been the sudden and unpremeditated act of individual or corporate impulse; it has with-

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out exception been the logical *dénoûment* of a slowly growing moral and political point of view; the final outburst, it is true, filling unsuspecting persons with amazement and alarm, but to minds skilled in discerning changes in the political firmament, appearing to be what in truth it always is, the inevitable effect of a well-defined and obvious cause.

Mistaking effects for causes is perhaps the most common error into which the human mind is prone to fall, and in no field of mental observation is this error more consistently committed than in the consideration of the trend of political movements.

The moral and social upheaval which accompanied the French Revolution, the American War of Independence, and to a certain extent the Great Rebellion in this country, in each case startled and pained the civilised world; and yet to those with eyes to see and ears to hear, the final conflagration was seen to be the outcome of a slowly smouldering agitation against the uncontrolled authority of the French nobility, an English Parliament, and an English

King, respectively. Charles I. and Louis XVI. mistook the warnings which were pressed upon them by the leaders of the movements for the idle vapourings of demagogues. On hearing the news that the Bastille had fallen, Louis XVI. cried in amazement, "Why, this is a revolt." "No, Sire," said the Duke of Liancourt, "it is a revolution." Revolutionaries, however, have few scruples, and inability to feel the pulse of the nation cost each of them his head.

In truth, the revolution was effected, not when the National Assembly refused to withdraw from the tennis-court at Versailles, nor when the tea-chests were cast into Boston Harbour, but when the teachings of Voltaire, Rousseau, and Diderot in France, and Franklin, Otis, and Dickinson in America, as the late Lord Acton has pointed out, had sunk into the minds and laid hold of the moral conscience of the French and American peoples. When once a nation has grown content to disregard the moral and political principles which have hitherto obtained, before long an opportunity will be created to overthrow in practice

principles which in theory have already become obsolete and untenable. Physical force, no doubt, is usually required to effect the change, but the potency of physical force, unless it is applied to attain objects which the nation as a whole conceives to be for its moral wellbeing, soon becomes devitalised. The fundamental distinction between the revolutionary movements in France and America on the one hand, and the Great Rebellion in this country on the other,—a distinction which accounts for the permanent success of the movements in the former countries and the failure of the Great Rebellion to abolish the immemorial government of England by King, Lords, and Commons,—will be found to be that in France, as in America, the principles underlying the revolution were in consonance with the change in moral outlook which had gradually overtaken the people, while in England the vast majority of the people were not in sympathy with the principles of Puritanism either at the time of their inauguration or at any subsequent period in English history.

If, therefore, the principles underlying a revolutionary movement, in order to achieve success, must reflect the moral aspirations of the people, what will be the probable outcome of the revolutionary wave which at the present time is sweeping over Great Britain? Will the appeal which it brings find a lasting echo in the moral conscience of the general public? And if so, are there to be found means ready to hand by which its exponents can give practical effect to the principles which they espouse? It is perhaps not possible at this early stage in the development of the movement to give a definite answer to the first of these questions. The revolutionary movement looms like a great vessel in the offing, too far away as yet for its true character and proportions to be clearly defined. And yet it may at least be asserted that its lessons have not sunk so deeply into the heart of the industrial classes as to have become ineradicable and abiding. The seed, indeed, has been sown abundantly, but the harvest-time is not yet; and the crop will never grow to maturity if only men can be found

with sufficient moral courage and enthusiasm to put their hands to the plough and root up the evil thing.

No student of modern politics, however shortsighted may be his political vision, doubts for a moment that this is so: the vague generalities in which the new doctrine is couched, the half-hearted response with which the trumpet-call has been met by those to whom the appeal is being made, and the eager canvassing of arguments for and against a "new morality" which is to provide for the people a new earth, if not a new heaven, are proof enough of this.

It cannot be too emphatically asserted that the fight for the "old morality" is not a lost cause. If the real danger with which the nation is threatened by "progressive" principles can be brought home to the minds of the people, the reaction against what may be termed "Lloyd Georgism" will be both violent and certain. It is the state of political coma into which the educated classes have fallen, and which renders them quite unable to appreciate, much less to combat, the dangers which

confront both themselves and the commonwealth, that makes it infinitely more difficult to accomplish the task of "educating our masters" in this matter. What is the danger? The danger lies in this, that whereas Englishmen from the earliest times have been proverbially law-abiding, the opinion is steadily gaining ground among members of widely different classes that legal and moral obligations are only to be considered binding when, and may be disregarded except in so far as, particular individuals or classes consider these obligations to be beneficial to themselves; and whereas the right to hold property and the right to personal liberty have hitherto been recognised by Englishmen to be essential to the maintenance of social and political freedom, the modern doctrine that it is justifiable, nay, praiseworthy, to violate these "fundamentals" in the interest of "the people" is vigorously defended as being in accordance with the principles of honesty and morality.

The magnitude and lawlessness of recent strikes indicate the widespread popularity of

the new doctrines, while the action of his Majesty's Government in conceding, upon demand and apparently without mature consideration, the main principle for which the miners struck work, proves how potent is the driving force at the back of the leaders of Syndicalism. Mr D. A. Thomas, the leader of the South Wales coalowners, wrote as follows on March 2, 1912 :—

“The proposals of the Government cannot fail to be regarded as of the most far-reaching, not to say revolutionary character. They concede absolutely the guaranteed individual minimum wage to underground workmen. If these Government proposals are to be enforced, as has been suggested, by legal enactment upon any dissentients, it means that the Government are compelling the South Wales coalowners to agree to a breach of an agreement solemnly entered into within the last two years by the representatives of the workmen and themselves. That agreement, made in March 1910, for a period of five years, was recommended by the Miners' Federation of Great Britain, ratified by

ballot by a three-fourths majority of the colliery workmen in South Wales, and afterwards signed by every one of the accredited representatives of the workmen upon the Conciliation Board.

“To pass an Act of Parliament forcing the South Wales coalowners to set aside this agreement goes to the root of collective bargaining, which is really the basis of Trade Unionism. The moral effect upon the community of such Government action can hardly fail to be weakening.”

Nationalisation, then, is the keynote of present-day progressive policy, and by this term is meant, not that individuals should be endowed with new opportunities to win advancement and prosperity for themselves, but that the State, by stirring up one class to war against another, should ultimately annex all private property without in any way compensating those who are dispossessed by the process. Nationalisation, no doubt, must proceed by “easy stages,” but already a start has been made with attacks on licensed property and land.

The principles underlying the programme

of the Social Democratic Federation, the Independent Labour Party, and advanced Radicals, are substantially the same. They may possibly vary in degree, but not in kind.

The main appeal of progressive propagandists is to disregard the rights of private property and personal freedom. With what objects were the following observations made by Mr Lloyd George, except to justify the acquisition by one class of the property of another? Speaking at Limehouse on Friday, 30th July 1909, he said: "The landlords are receiving millions a-year by way of royalties. What for? They never deposited the coal there; it was not they who planted these great granite rocks in Wales. Who laid the foundations of the mountains? Was it the landlords? And yet they by some divine right demand, for merely the right for men to risk their lives in hewing these rocks, eight millions a-year. . . . When the Prime Minister and I knock at the door of these great landlords and say to them, 'Here, you know these poor fellows have been digging up royalties

at the risk of their lives: some of them are old, they have survived the perils of the trade, they are broken, they can earn no more. Will you give something towards keeping them out of the workhouse?' They scowl at you; and we say, 'Only a halfpenny—just a copper.' They say, 'You thieves!' And they turn their dogs on to us, and every day you can hear them bark. . . . Finally, I say that without you we can do nothing; with your help we can brush the Lords like chaff before us." Again, at Newcastle, on 8th October 1909: "You may say to us, 'Why do you stand them?' [*i.e.*, the landlords]. Because you force us to stand them. We would have got rid of them long ago. When a Celt has a nail in his boot, he takes it out; but you have been marching on until there is a sore. Have it out!" Speaking at Mile End on the 21st November 1910, he said: "We would say to the Australians, 'Have you anything like this?' [that is, the hereditary peerage]. And they would say, 'Well, stop a minute; we had a few years ago bushrangers (cheers), but we must

inform you that they only stole cattle.' 'Oh,' we say, 'cattle won't do; it must be land, and that on a large scale.' 'Well,' says the Australian, 'it really does not matter; we hanged the last of them a short time ago, before they had an opportunity of founding a family.'"

'The Daily Chronicle' (Feb. 21, 1912) admitted that "a few years ago the State enforced on the coal-mining industry an eight-hour working day. Eight hours is quite enough to spend underground in the laborious and hazardous occupation of mining; but it is undeniable that the adaptation of working conditions in the mines to meet the requirements of an eight hours' day has, in the transitional period, meant new difficulties and extra cost of working to the management. So far as the miners themselves are concerned, the eight hours' day has also produced inconveniences. If the State can now help to mitigate the effects of past State action, it is bound in honour to do so."

Will such oratory as this "help to mitigate the effects of past State action"? At

any time speeches such as these would be unworthy of any politician, and would even be a source of danger in the mouth of a Cabinet Minister, but uttered and emphasised with the Celtic fervour and eloquence of Mr Lloyd George, at a time when discontent is rife, and a rise in the cost of living has not been accompanied by a proportionate rise in wages, such language is a direct incitement to outrage and rebellion.

It is the paramount duty of Unionists, therefore, to expose with courage and persistence the fundamental fallacies underlying this "new morality." But the support of the moral conscience of the country, which, as has been seen, is an essential factor in every successful revolution, will not by itself suffice to carry revolution to victory unless it is supplemented by apt machinery to give effect to its purpose. Such machinery is provided by the Trade Disputes Act, which may well be termed the Charter of Revolution. Without the powers which were given to trade unions by this Act, it would practically be impossible to engineer a "sympathetic" strike. With

those powers lying ready for use by unscrupulous leaders, a strike may easily pass into a revolution.

The material sections of the Act are—

“1. An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without such agreement or combination, would be actionable.

“2. It shall be lawful for one or more persons, acting on their own behalf, or on behalf of a trade union or of an individual employer or firm, in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works, or carries on business, or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working.

“3. An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break

a contract of employment, or that it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills.

“4. An action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union, shall not be entertained by any court.”

Broadly speaking, the Trade Disputes Act entitles any person in contemplation or furtherance of a trade dispute to violate with impunity the fundamental right of an Englishman to dispose of his capital or labour as he wills. It entitles trade unions and their agents to commit wrongs without rendering the funds of the trade unions in any way liable to legal process for damages ; and by legalising peaceful picketing it in effect enables any person or any number of persons to attend wherever another person may be, to violate his right of personal

liberty, and to make his life and that of his family miserable, and, in some cases, too bitter to be endured.

The tameness with which Englishmen have submitted to be saddled with a statute which abrogates their fundamental rights is some evidence of the degeneracy of British moral character. However great and ruinous the wrong which may have been inflicted, no redress can be obtained from the trade union. If the plaintiff can prove that the acts by which his ruin has been brought about have done more than induce other persons to break their contracts of employment, or to interfere with trade, business, or employment, or with any person's right to dispose of his capital or labour as he wills, he may bring an action against the individual wrong-doer, who will almost certainly turn out to be a man of straw, quite unable to pay any damages or costs which may be awarded against him. But the funds of the trade unions are sacrosanct. Under the provisions of Magna Carta, "no freeman shall be seized or imprisoned or dispossessed or outlawed or in any way brought

to ruin," but Magna Carta affords no protection to the victim of a trade dispute. He may have been libelled, assaulted, imprisoned, or otherwise wrongfully treated by the trade union or its agents, yet no liability attaches to the trade union, for an action against a trade union in respect of tort "shall not be entertained by any court." The person wronged may have been financially ruined, he may have been physically undone by the tortious acts of a trade union, yet he is left to reflect that, in the opinion of the Radical Government, he is suffering in a good cause, for it is better that an Englishman's industrial and personal liberty should be destroyed than that the support of the Independent Labour Party should be lost to a Radical administration.

It is unnecessary to dilate upon the effect of immunity from legal process in respect of tort which has been conferred upon trade unions and their funds : they are completely protected, and the sections of the Act speak for themselves. Well might Lord Justice Farwell say—"It was possible for the courts in former years to defend individual liberty

against the oppression of kings and barons, because the defence rested on the law which they administered; it is not possible for the courts to do so when the Legislature alters the laws so as to destroy liberty, for they can only administer the law. The Legislature cannot make evil good, but it can make it not actionable."

It is a psychological axiom that moral and political forces are inextricably intertwined,—the one reacts upon the other. As moral enthusiasm engenders physical force, so materialism in politics blunts the moral sense. Is it not at least possible that the moral conscience of the people is in danger of becoming warped, and that appeals to disregard the moral and political principles under which England has developed and prospered will meet in the future with greater success?

The repeal of these sections of the Trade Disputes Act would not only not be injurious to the legitimate purposes of trade unions, but it would fulfil the aspirations of the large and increasing body of industrialists, men of the highest grades, who submit to the

tyranny of trade union administration for reasons similar to those which cause Roman Catholic loyalists in Ireland to submit to the dictates of the United Irish League, and who would willingly escape from the trammels of a system under which mediocrity is fostered and individual ambition is hampered and discouraged.

It is the obvious duty of Unionists to avow their determination to repeal these sections, and it is at least an open question whether such a policy would not prove to be at the same time popular and expedient. In any case, the repeal of this part of the Act would put an end to the "sympathetic" strike and save the country from the inconvenience and the perils of Syndicalism.

The argument by which the principles of the Trade Disputes Act has been hitherto supported is without foundation. It is asserted, generally without contradiction, that until the Taff Vale case was decided by the House of Lords in 1901, nobody had ever supposed that the funds of trade unions were liable to sequestration or any legal process, and that the promotion of the

Trade Disputes Bill of 1906 was a simple act of justice, undertaken to reinvest trade unions with the privileges which it was the object and the effect of the Trade Union Act of 1871 to confer upon them. Fortunately it is possible to test the validity of this assertion in two ways. If the object of the Act of 1871 had been to protect trade unions from financial responsibility for wrongs committed by them or on their behalf, it is reasonable to expect that clauses to give effect to the proposal would be found in the Act itself. No such provision will be found. The Act is silent on the matter, a circumstance which will go far to negative the truth of the assertion, but the inaccuracy of the argument is conclusively proved by a perusal of the report of the celebrated Royal Commission in 1869, which preceded the introduction of the Bill, and by an examination of the speeches which were delivered during the passage of the Bill itself.

No proposal for granting immunity to trade union funds in respect of tort is to be found in the speeches in Parliament or

in the report of the Royal Commission. The observation contained in the statement of dissent signed by Mr Frederic Harrison and Mr Hughes, that trade unions ought not to be sued otherwise than in accordance with the provisions of the Friendly Societies Act of 1855 relating to certified societies, does not conflict with the view expressed by the other Commissioners, for under the provisions of the Friendly Societies Act of 1855 the trustees are to be made parties to any action brought against the society which touches or concerns the property of the society, and such actions would include actions for damages for tort.

So far from the Commissioners reporting in favour of the immunity of trade unions in respect of tort, the Commissioners state in paragraphs 79 and 80 of the report that "there would be advantage to the unions if they were established with the capacities, rights, and *liabilities* arising from a state recognised by law, and we further recommend that facilities should be granted for such registration as will give to the unions capacity for rights and *duties* resembling in

some degree that of *corporations*." Indeed, the Commissioners proposed not to lift the trade unions above and outside the law, but to bring them within the pale of the law; not to invest them with special privileges, but to endow them with the rights and obligations which attach to all recognised corporate bodies.

The object of the Government in promoting the Trade Union Bill of 1871 was stated by Mr Bruce, the Home Secretary, in the House of Commons on February 14, when the Bill was introduced, in these words: "By the law as it at present stood, these bodies could enter into no binding contract with any third person. Their secretary could not recover at law the salary which might be due to him for his services, nor could the unions maintain an action against their bankers for money deposited on their account, while if they rented premises in case of dispute with their landlord they were without any remedy at law. To remove these disabilities was one of the objects of the Bill. The Bill also proposed to deal with the criminal law as

it affected trade unionists and other workmen."

Neither in the House of Commons nor in the House of Lords was the immunity of trade union funds either mooted or discussed. Mr Jessel, afterwards Solicitor-General and Master of the Rolls, stated without contradiction on March 14, during the debate on the second reading in the House of Commons, that "he wished to point out to the House that this legislation was not fairly obnoxious to the charge of being *class legislation*. Class legislation was the conferring of special privileges on a *single class of the community*, or enacting special prohibitions against a single class as distinct from all others;" and the Earl of Morley, in moving the second reading of the Bill in the House of Lords on May 1, 1871, said that "it was his earnest hope that by bringing the unions *within the pale of the law*, by endeavouring to give publicity to their rules, and by bringing all their good points into the light of day, Parliament would help largely towards the abolition of that feeling of mistrust and antagonism

which was said to exist, and to some extent doubtless did exist, between Labour and Capital."

The examination of the facts, therefore, demonstrates that there is no shadow of foundation for the assertion that the Trade Disputes Act of 1906 would only be re-investing trade unions with the privileges which Parliament intended to confer upon them by the Trade Union Act of 1871. Further, the Radical Government in 1906 were under no misapprehension with regard to the mischief that would result, and the danger which would threaten the country, if the Trade Disputes Bill were to become part of the law of the land. The Attorney-General (Sir John Lawson Walton), speaking on the introduction of the Government Bill in the House of Commons on May 28, 1906, stated the objections to the immunity of trade union funds,—objections which were held by his Majesty's Ministers,—in the following eloquent words:—

"The argument one hears is, 'Why trouble very carefully to define liability, why trouble to reconcile the law of agency

with the administrations of bodies of this kind; why not say no action whatever shall be brought?' But just let me ask the House to face that proposition. The proposition, I understand, is that, however great and ruinous the loss that may be suffered by an individual, however unjustifiable the conduct of the union that may occasion that loss, even in the case of that conduct having been carried out by means of the use of the funds which are controlled by the union, yet those funds, the property of the union, are not to be made liable to redress the claim consequent on that loss. You must fairly face the proposition. I invite the House, before they put that proposition into legislative shape, seriously to consider its effect. It would be impossible to confine it to these combinations: if you place them in this position you will have to deal with claims on the part of other bodies also entitled to the consideration of Parliament, who may ask that the same privilege may be extended to them. Well, sir, I ask the House, is there not this danger attending the alter-

native policy to which I have referred, namely, that in your anxiety to check one injustice you may create another? In your wish to prevent injustice being inflicted upon trade unions, you may create injustice against individual members of the community. And there is another argument which I have seen used. We are a democratic country, we are a democratic party, we are a democratic Parliament, and probably the members below the gangway are the most democratic element in it. But are you not proposing class privileges? . . . Do not let us create a privilege for the proletariat and give a sort of benefit of clergy which was formerly enjoyed, and which created an immunity against actions in favour of certain sections of the population. Then there is another consideration which has influenced the Government in trying to settle this question. Are we sure that it is wise to remove from these unions, and particularly from the agents employed, a sense of responsibility? They are often swayed by passion, by excitement, and by natural feeling. Is it right

that their agents should move about with the consciousness that whatever they do the property of the union will not have to fear any loss? Is that feeling likely to produce caution, prudence, self-restraint, and regard for the rights and feelings of others? Is it not likely rather to have the opposite effect, and to check that sense of discipline it is desirable the head office of a great organisation should use over the squadrons under them?"

No more cogent indictment of the effect of trade union immunity from process of law could have been delivered; no estimate of the national disaster which might follow the passage of a Bill has ever been more completely borne out by subsequent events.

Notwithstanding the adverse view presented on behalf of his Majesty's Ministers by the Attorney-General, the Radical Government forced the Bill through the House of Commons, and the complete *volte-face* on this question which the Radical Government performed two months after the speech which the Attorney-General de-

livered, coupled with the determination of Mr Asquith, Mr Haldane, and Sir John Lawson Walton to allow the Bill to pass into law, is one of the most disgraceful and humiliating episodes in Parliamentary history.

Any one who has hitherto cherished the fond belief that Mr Asquith and Mr Haldane would be incapable of immolating their political principles upon the altar of party expediency, would do well to contrast their action on this occasion with the following observations which Mr Haldane made at East Lothian during the preceding General Election :—

“He saw that Mr Keir Hardie had written to the newspapers threatening Mr Asquith and himself with all sorts of retribution if they would not ‘toe the mark’ by voting up to the particular propositions which Mr Keir Hardie wished carried out about the Trade Disputes Bill. Well, he was sure neither he nor Mr Asquith would budge one inch because of Mr Keir Hardie’s demands. Mr Keir Hardie might address himself with success to the

electors when he had studied the Trade Disputes Bill a little more, and when he knew one-tenth as much about it as Mr Asquith and he were bound to know in order to deal with the subject. To make the kind of preposterous propositions which he put forward was only really to show how very feeble was the position which he held in the House of Commons, so far as his doctrines and his following were concerned. He had not the slightest objection to Mr Keir Hardie putting forward his own propaganda, but if Mr Keir Hardie thought he was going to coerce him or anybody else he had better come to East Lothian and try it." Brave words, indeed, but how are the mighty fallen! Within a few months of this defiance the speaker "toed the mark," and meekly voted as Mr Keir Hardie had required.

This engine of revolution was subsequently passed by the House of Lords, with full knowledge of the inevitable effect of their so doing, and in the face of solemn warning and the following protest from Lord Halsbury :—

“I think it is something new in the history of this House that it should be admitted that a Bill is injurious, dangerous, and unjust, and that, nevertheless, your Lordships are not to protest against it. . . . What is it that gives confidence in English law? It is that it recognises the principles of justice. The principle of law contained in this Bill is contrary to the whole spirit of the Constitution. . . . Immunity is sought for funds which are used for what is practically civil war in another form.”

Under these circumstances the Trade Disputes Bill was placed upon the Statute-book, and opponents of the Act, particularly if candidates for Parliament, have ever since been dubbed the enemies of trade unions,—as false a charge as has ever been lodged against political opponents. No student of modern history can remain an opponent of the right of collective bargaining, and so long as trade unions consist of workmen who combine to secure domestic benefits for themselves by mutual insurance, and a reasonable standard of wages by collective bargaining, and who

are prepared to obtain these objects by legitimate means, the existence of trade unions is not only justifiable but wholly to be desired. Immunity from legal process for tort, however, is not necessary to attain these objects; nay, more, the possession of these legal privileges is certain to prove a temptation to trade unions to depart from their legitimate and original programme.

During the last twenty-five years a great change has taken place in the outlook and the policy of trade unions. Two causes have mainly contributed to bring about this change,—the improvement in elementary education, and a rise in the standard of living, unaccompanied by a proportionate rise in wages. The steady policy and temper of such leaders as Burt and Fenwick have developed into the “national programme” of the present-day labour demagogues, and trade unionism has been changed from an industrial into a political movement. Now it is to a great extent among the industrial population that “Lloyd Georgism” and the “new morality” have

gained a foothold, and the opposition to the Trade Disputes Act was not and is not based upon antipathy to trade unionism properly so called, but upon the belief, which has been amply justified by the event, that the immunity is sought, as Lord Halsbury said, "for funds which are used for what is practically civil war in another form," and that the possession of legal privileges would foster and develop among industrial classes the tendency to regard as justifiable the repudiation of existing rights of property and personal liberty.

"How oft the sight of means to do ill deeds
Makes ill deeds done!"

The following observations of J. H. Thomas, M.P., Assistant Secretary of the A.S.R.S., in answer to questions put to him on September 29, 1911, by Mr Beale, a member of the Royal Commission appointed in consequence of the recent strike, prove how well-founded was the apprehension with which Sir John Lawson Walton viewed the passing of the Trade Disputes Bill: "*Q.* Does your Union interfere in

matters of discipline? *A.* No. *Q.* Is it a part of discipline that men should carry out their contracts of service? *A.* Yes. *Q.* Did you not call out your men in direct violation of their contracts? *A.* Yes, *Q.* You called out the men in breach of their contracts? *A.* Yes. *Q.* Is that a new departure? *A.* *It is new in the sense that I have never known it done before."*

Several methods have been suggested by which it is claimed that industrial conflicts can be averted in the future. It is sometimes proposed to achieve the object in view by prohibiting, or at any rate limiting, the right to picket. No one can doubt that the right to picket, which in a modified form was first granted by Parliament in 1859, and was extended by Section 2 of the Trade Disputes Act 1906, frequently has been, and in times of unrest will inevitably be, grossly abused. The Report of the Royal Commission of 1906 provides conclusive proof of this fact.

"The evidence on this matter laid before us is on this point really overwhelming; and is evidence which the trade unions have

made no attempt to contradict. What it comes to is this, that watching and besetting for the purpose of peacefully persuading is really a contradiction in terms. The truth is that picketing, however conducted, when it consists of watching or besetting the house, &c.,—and it is to be observed that the statute places no limit to the number of persons attending for the purpose, not only of obtaining or communicating information, or the length of time during which such attendance may be maintained,—is always and of necessity in the nature of an annoyance to the person picketed. As such it must savour of compulsion, and it cannot be doubted that it is because it is found to compel that trade unions systematically use it. It is obvious how easy it must be to pass from the language of persuasion into that of abuse, and from words of abuse to threats and acts of violence. . . . All the witnesses admitted that the real vice of picketing consisted in illegal intimidation, that is to say, in producing in the mind of the person apprehension that violence would be used to him or to his wife and family, or

damage be done to his property, and some witnesses thought that picketing by one or two persons could not produce any injurious effect."

Lord Claud Hamilton, M.P., has introduced into the House of Commons a Bill to limit the right of picketing during strikes or lock-outs. The Bill in effect provides that it shall be unlawful for more than two persons at the same time to be present at or near any house or place where any other person works or carries on business or happens to be, with the object of obtaining or communicating information for the purpose of such strike or lock-out, of persuading any person to work or carry on business or abstain from working or carrying on business, and it shall be unlawful for any person to attend at or near the house or place where any other person resides with the object of persuading such other person to work or carry on business or to abstain from working or carrying on business.

There might be difficulties in the way of carrying out and administering such an Act, but in view of what took place during

the railwaymen's strike of 1911 no one can doubt the magnitude of the evil. In practice "peaceful picketing" is an euphemism for molestation or intimidation, and the Legislature must face the necessity of meeting it in some way.

Another suggestion which is sometimes put forward is that a tribunal should be set up with power to consider and determine the rights of the parties in industrial disputes, and that any strike or breach of contract committed pending the publication or during the subsistence of the award should be treated as an offence punishable by summary process. Such a suggestion is open to this fatal objection, that in times of industrial conflict, when men tend to go out of hand and passion runs high, it would be quite impossible to administer the law. Two hundred and fifty thousand men cannot be prosecuted individually, much less incarcerated, under existing conditions.

Who can doubt that trade unions, if the law remains impotent to touch their funds, will in the future be instigated and led on to more frequent and more widespread out-

rages on the community? What is there to prevent any trade union from "sympathetically" aiding and supporting the members of other trade unions who happen to be out on strike? Must it be admitted that the only measure by which peaceful citizens can be protected in such a case is to call out the soldiery? The suggestion, if it were true, would be a humiliating confession of legislative incapacity and failure. Such a remedy would tend to aggravate the very disorder which it was employed to allay, it would incalculably embitter the mutual relations of capital and labour, and it would go far to bring the moral conscience of the people into sympathy with the strikers. How far is this revolutionary movement to be allowed to proceed? Can no means be found other than the use of the soldiery to prevent "what is practically civil war in another form"?

So long as labour leaders are free to advocate and support "sympathetic" and national strikes without endangering the funds of the trade unions, the problem appears to be insoluble; but upon the

lowest grounds of personal advantage and self-preservation labour leaders would act with greater caution and an increased sense of responsibility if, through their advice, trade unions were liable to be mulcted in damages for the wrongs which the leaders had instigated the members to commit. The repeal of the Trade Disputes Act would destroy the vehicle of revolution, and would put trade unions in a position similar to that occupied by other corporate bodies with rights and corresponding obligations. It would advance the position of true trade unionism, and would probably meet with a surprisingly large measure of support among the trade unionists themselves.

The spirit of revolt fostered by the "new morality," and developed through the Trade Disputes Act, presents a political phenomenon pregnant with danger to the State, and highly embarrassing to the Radical Government. It will not be dissipated by panic legislation, nor suppressed by military demonstrations. Its appearance is generally viewed with feelings of surprise and alarm, because the source of its existence does not

lie on the surface of politics. The meaning of the "new morality" will only be appreciated by those who are not themselves inoculated with its principles. His Majesty's present advisers will most certainly prove unequal to the task of apprehending its meaning, for modern Radicalism renders its adherents oblivious to the perils which beset modern democracy.

As it is the privilege of the Unionist party alone to appreciate the dangerous condition into which the English proletariat is drifting, so it is the duty of the Unionist party to apply the remedy without flinching. Let them in this matter be true to their principles: theirs is the opportunity, and theirs will be the great reward.

VII.

TEMPERANCE AND LEGISLATION

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TEMPERANCE AND LEGISLATION.

IDEALISTS are usually good followers, but unsafe guides, in political matters. Whether they happen to be suffragettes or single-taxers or prohibitionists, they all alike fix their attention upon the end, rather than upon the means by which they hope to achieve the object which is so near their hearts. Nay more, idealists become so obsessed with the paramount importance of carrying through their particular nostrum, that they seldom pause to consider the inconvenience and the loss which in most cases accompany the establishment of new conditions. In their view the end justifies the taking of such means as may be necessary for its accomplishment; and so it happens that perhaps nothing exists

on earth so cruel as the tender mercies of the political or the temperance reformer. The social problems, however, of modern civilised communities can only be satisfactorily solved by men of wide outlook and well-balanced intelligence. Enthusiasm is, of course, indispensable, but it must be enthusiasm tempered by foresight; for beneficent measures of social reform are invariably the work of those who are able to see things as they are, and not only as they wish them to be. Idealists, on the other hand, are apt to lose their sense of proportion, and seldom realise that, in the treatment both of the human body and of the body politic, the danger against which the specialist has to guard is paying undue attention to the particular organ affected at the expense of the general system.

At a time when the party principles and divisions which have hitherto obtained are being subjected to drastic criticism, if indeed they are not in danger of obliteration, it will not be considered inopportune to review the legislation which has been passed from time to time for the purpose

of regulating the sale of alcoholic beverages in this country, and to inquire whether in many cases the remedy has not proved to be more harmful than the disease.

Let it be assumed for the moment that alcohol per se is injurious to the community; nevertheless, it does not follow that it would be either practicable or expedient to prohibit the sale of alcoholic beverages under pain of punishment. Jeremy Bentham has pointed out that "If the evil of the punishment exceed the evil of the offence, the punishment will be unprofitable; the legislator will have produced more suffering than he has prevented;" and he further lays it down that punishment ought not to be inflicted where "an indefinite number of the members of the same community happen to conceive that the offence or the offender ought not to be punished at all, or at least ought not to be punished in the way in question." Legislation promoted to reform the habits of the people will never prove effective when it runs counter to public opinion, and "attempts at a rapid and premature

moral elevation are apt, as in the case of the Puritan legislation of the Cromwellian period, to provoke a re-action which defeats their aim."

Now, nobody can doubt that in the opinion of the vast majority of the inhabitants of this island alcohol is regarded as a source of nourishment as well as of enjoyment, and even if the general public are quite wrong in the views which they hold on this subject, it follows from what has been already stated that the only practicable course for temperance reformers to pursue is to endeavour to change public opinion and to frankly abandon attempts to secure prohibitive legislation which will not effect the suppression of alcohol, while it may drive the drinking of alcoholic beverages from supervised places into surreptitious and illegitimate channels. Mr Plowden, the well-known Metropolitan Police Magistrate, stated on October 31, 1909: "Every one has a natural craving for a stimulant of some kind, such as alcohol, tobacco, tea, or opium. It is beneficial to satisfy this to a certain extent. . . . Re-

pressive legislation always fails, because you cannot repress human nature, and the restlessness that craves for society and change."

Human nature being what it is, all attempts to suppress the liquor traffic either by legislation or by administration will do more harm than good. If alcohol is in truth an unmixed evil, as some people hold, public opinion must be educated to form a right judgment in the matter; for until the views of an overwhelming majority of the people have been changed on this subject, methods of repression will not only prove abortive, but will alienate from the course of true temperance many persons who otherwise would enrol themselves amongst its staunchest supporters.

Why have the United Kingdom Alliance and the C.E.T.S. failed to attract within their ranks any but the most minute section of the general public? Is it not because of the violent and repressive propaganda of the former, and the ascendancy of the extreme man in the latter? Mr Joynson-Hicks, M.P., a member of the Executive

of the C.E.T.S., pointed out during the struggle over the Licensing Bill, 1908, that "it is perfectly natural that the extreme man in any Society should be sent by a process of election to the Central Executive. I need not burden this letter by explaining the process, suffice it to say, that that Executive is now largely controlled, first by the perfectly honest, but extreme teetotal parson; and secondly, by the (I leave out the words 'perfectly honest') extreme teetotal layman." In 1895 the C.E.T.S. possessed 2889 adult branches and an adult membership of 194,220; while in 1911, according to the Annual Report recently issued, the adult branches were only 2280 in number, and the adult membership had fallen to 145,964. The report adds that "the Council cannot but feel profound discontent with the stationary character of the membership statistics," while the excess of expenditure over revenue has been so great "that the year 1911 has been one of considerable financial anxiety." The reason why the membership of these Societies has proved to be comparatively a

failure is because they have failed to realise that it is both impracticable and inexpedient to attempt to suppress the sale of alcoholic beverages in advance of public opinion. It is impossible to make a man either sober, or thrifty, or even irreligious, by Act of Parliament, and attempts to do so have always resulted in dismal failure. The teetotal fanatic is as vindictive as he is short-sighted. He is not to be won over by argument, nor is he open to reason. He is suffering, as Dean Hole once wittily said, "from water on the brain," and he is found to be the worst enemy of the Cause which he has espoused. It is to be hoped that the views of a body like the C.E.T.S., whose work in the police court and other Missions is beyond praise, are undergoing a change, and that the C.E.T.S. will be wise enough to realise, before it is too late, that its many opportunities of doing good will be sacrificed, unless it is prepared to adopt a programme which will prove acceptable to moderate men. Thus far it has been assumed, in this paper, that alcohol is a wholly pernicious drug.

But after all, is alcohol per se injurious to health? Every one, of course, deprecates the excessive drinking of alcoholic beverages, or indeed of any other stimulating drug. The drunkard is warring against himself; he is also the worst enemy of the publican, a fact not yet sufficiently recognised. Again, "what is one man's meat is another man's poison," and it is quite obvious that for some people stimulants, whether alcoholic or not, are injurious to health. On these questions every one is agreed, but is the moderate use of alcoholic beverages in the case of normally constituted adults deleterious? That is an important and interesting question, and it is extremely doubtful whether the teetotaler can make out his case. It is, at any rate, true to say that among all races and at every period of history, stimulants, alcoholic or narcotic, have been consumed. Wherever the traveller touches on his journey, there he will find the inhabitants indulging in stimulants, usually in the form of fermented beverages. Is the universal practice of mankind not to be taken into consideration? Again, raw

materials for the manufacture of alcoholic beverages are found in different countries suitable to the peculiar climatic circumstances of each; for instance, in the Far North viscous oil from the whale's blubber supplies the craving of the inhabitants for a heavy stimulant; in Scotland whisky is distilled; in Germany and England beer is made; while in the South of Europe are found the light wines of Italy and Spain. Is the order of Nature also to be disregarded? Further, the views of medical men on this subject are strangely divergent. Some scientists, no doubt, think that alcohol is a wholly pernicious drug, but other scientists, equal in reputation and larger in number, hold the contrary opinion. On March 30, 1907, the following manifesto appeared in 'The Lancet':—

“In view of the statements frequently made as to present medical opinion regarding alcohol and alcoholic beverages, we, the undersigned, think it desirable to issue the following short statement on the subject—a statement which we believe represents the opinions of the leading clinical teachers as

well as of the great majority of medical practitioners.

“Recognising that in prescribing alcohol, the requirements of the individual must be the governing rule, we are convinced of the correctness of the opinion so long and generally held, that in disease alcohol is a rapid and trustworthy restorative. In many cases it may be truly described as life-preserving, owing to its power to sustain cardiac and nervous energy, while protecting the wasting nitrogenous tissues.

“As an article of diet we hold that the universal belief of civilised mankind that the moderate use of alcoholic beverages is, for adults, usually beneficial, is amply justified.

“We deplore the evils arising from the abuse of alcoholic beverages. But it is obvious that there is nothing, however beneficial, which does not by excess become injurious.”

T. M'Call Anderson, M.D., Regius Professor of Medicine, University of Glasgow; Alfred G. Barrs; William H. Bennett, K.C.V.O., F.R.C.S.; James Crichton - Browne; W. E.

Dixon; Dyce Duckworth, M.D., LL.D.; Thomas R. Fraser, M.D., F.R.S.; T. R. Glynn; W. R. Gowers, M.D., F.R.S.; W. D. Halliburton, M.D., LL.D., F.R.C.P., F.R.S., Professor of Physiology, King's College, London; Jonathan Hutchinson; Robert Hutchinson; Edmund Owing, LL.D., F.R.C.S.; P. H. Pye-Smith; Fred T. Roberts, M.D., B.Sc., F.R.C.P.; Edgcombe Venning, F.R.C.S.

In the light of present knowledge can any sensible person positively assert that alcohol is a drug pernicious in itself? At any rate, when doctors disagree, the public is entitled to form an opinion on this matter after taking all the circumstances into consideration. Scientific evidence is entitled, no doubt, to receive full weight, but, after all, the medical aspect of the problem is only one of many matters which the reasonable man will bear in mind in determining what action, if any, Parliament should take in respect of the sale of alcoholic beverages. Would it be wise statesmanship, having

regard to the conditions which prevail at the present time, to endeavour to suppress the sale of alcoholic liquors? If the facts be such as have been set out above, and they are beyond controversy, the answer must be emphatically "No."

There is no doubt that the object of earlier legislation on the subject, both in this country and elsewhere, was not to reduce the quantity, but to improve the quality of the beer brewed. In this country it is true that from the reign of Henry VII. until the passing of the Beerhouse Act, 1830, magistrates were given unfettered powers of control over all licensed premises, but the object of this legislation was not the suppression, but the good conduct of licensed premises; while a quaint ordinance was passed in 1155 by the Common Council of Augsburg, whereby it was ordered that brewers who supplied bad beer should be punished, and the bad beer seized — and given to the poor! Legislation in respect of alcoholic beverages is no doubt desirable, and the object of such legislation ought, it is submitted, to be: (1) To regulate and control the con-

ditions under which alcoholic liquors are sold ; (2) To suppress such licensed houses as are deemed to be superfluous ; (3) To improve the character of the licensed houses which are allowed to remain.

(1) That Parliament is bound to legislate for purposes of control is a generally accepted proposition which need not be laboured.

(2) Few people will be found to doubt that the Beerhouse Act of 1830 was a great mistake, or that there were, and possibly still are, too many public-houses, or that in the majority of cases it is the Duke of Wellington's beerhouses which ought to be reduced in number ; but opinions differ as to the reasons which justify a reduction in the number of licensed houses, and also as to the mode by which the reduction is to be secured. The prohibitionist urges that a decrease in the number of public-houses will necessarily promote sobriety. That, of course, is a contention which is quite unfounded. Mr Gladstone, writing to Lord Thring, asserted that "the mere limitation of numbers, the idol of Parliament for the last twenty years is, if pretending to the

honour of a remedy, little better than an imposture." The majority report of the Royal Commission 1899, page 6, states, "It is seen at a glance that there is apparently no relation between the number of licences and the amount of drunkenness," and the compiler of the Annual Statistics, 1908, page 10, points out that "A decrease in licensed premises does not lead immediately or clearly, at all events so far as it has gone hitherto, to a decrease in convictions for drunkenness."¹ The inaccuracy of the view held by teetotalers is further made clear by the following illustrations:—

PER 10,000 OF THE POPULATION.

	Public-houses.	Convictions for drunkenness.
In Hertfordshire . . .	54.42	17.28
In Cambridgeshire . . .	74.98	12.07
In Glamorganshire, where there is Sunday closing . .	24.14	87.07
In Northumberland . . .	20.35	146.22
(<i>Annual Statistics</i> , 1908.)		

¹ The forecast made in 1908 has been proved to have been well-founded by the *Annual Statistics* of 1912, which disclose the significant fact that convictions for drunkenness, which up till that year had steadily been decreasing, increased in 1912 by 10,138.

The real ground upon which the reduction of licensed premises ought to be supported was well put by the Archbishop of Canterbury in the House of Lords in 1904 :—

“I do not argue in favour of a diminution in the number of public-houses solely because of the direct or statistical results that might follow in the diminution of drunkenness or of drinking. I look far more to the indirect gains that would come from securing better and more careful tenants, and from greater facilities for the supervision of these houses, and, above all, the gain that comes from the lack of that kind of competition which compels the weaker kind of houses to resort to tricks and dodges to sell liquor.”
—(Hansard, v. 139, p. 189.)

Every one who has passed through the country districts of England with his eyes open will recognise the weight of this contention, and that it forms the real justification for a reduction of the old beerhouses ; but by what method is the diminution to be effected? On this matter the widest divergence of opinion exists.

In 1904 the magistrates in certain districts,

without any complaint being lodged either against the houses or the licensees, refused to renew the licences in respect of a large number of licensed premises. The utmost indignation was felt by the licensees, who were in this way arbitrarily dispossessed of their livelihood. Lord Bramwell's judgment in the House of Lords in *Sharp v. Wakefield* (1891, A.C. 184), to the effect that "the legislature has most clearly shown that it supposed, contemplated, that licences would usually be renewed, that the taking away of a man's livelihood would not be practised cruelly or wantonly," was freely cited. The Licensing Act, 1904, was the result. The Conservative Government pointed out that the number of public-houses ought to be reduced. "The Trade" with ample justification replied that if a reduction was made, compensation ought to be paid to those who were thereby dispossessed of their property, as licences were bought and sold and rated and taxed upon the assumption that they would be annually renewed during good behaviour. This point was properly conceded by Mr Balfour, but the

question remained outstanding, who was to pay the compensation?

Mr Pope, Q.C., giving evidence in 1899 before the Royal Commission with regard to the Duke of Wellington's beer-houses, stated, "they have a statutory right, and if you deprive a man of a statutory right, I agree you ought to pay him for it." (Question 74027).

Notwithstanding the strength of their legal position, "the Trade," with singular conciliatoriness, agreed that compensation should be paid out of a fund raised solely by a compulsory levy on all holders of licensed premises, and the result has been that in seven years 9564 "on" licences have been suppressed, of which 7318 have been dealt with under the provisions of the Licensing Act, 1904. Under Mr Balfour's Act, machinery has been set up which will enable the reduction of public-houses to be continued until the desired maximum is reached, without any call being made upon State funds, and by a process of mutual insurance among the holders of licensed premises. The Act has unfortunately very

adversely affected the profits of Brewery companies; but what reasonable and honest man can doubt that it is one of the greatest measures of domestic reform ever passed in this country?

With characteristic cruelty and vindictiveness, the Radical and the fanatic opposed the measure in all its stages, and advocated as an alternative policy, the time limit or "swingeing duties" upon licensed premises. The time limit proposals of the Licensing Bill, 1908, were in two parts: (a) Within twenty-one years 31,000 "on" licences were to be abolished, whether the local justices considered it to be desirable or not, the owners of those licences were to receive only one-fifteenth of the compensation awarded under the Act of 1904, and this compensation was to be paid by the 60,000 "on" licences which survived until the end of the twenty-one years; (b) The 60,000 "on" licences which survived the twenty-one years, and which during that period had been paying a heavy annual sum to compensate the 31,000 "on" licences which had been abolished, were to be taken away

without any compensation being paid at all. An analogy to the time limit might be found in proposals whereby a man is compelled, by Act of Parliament, to insure his life at a heavy premium, and then, if he is unlucky enough to live for twenty-one years, the State cancels his policy—it does not even return the premiums he has paid!

There is no necessity in this paper to dilate upon the injustice of the time limit provisions contained in the Licensing Bill, 1908, or upon the violent language in which its supporters indulged, but it is not unimportant to note the enthusiasm with which its principles were endorsed by Socialists.

Mr H. M. Hyndman, the well-known Socialist, speaking at Burnley, March 2, 1908, said, “one part of the Bill he did like, and that was the fourteen years’ time limit, and if the expropriation of public-houses and breweries could be done in fourteen years, why not the cotton-mills, the coal-mines, &c.? He thought it was an excellent proposal, and he was much obliged to Mr Asquith for telling him that fourteen years

was the limit for the expropriation of property."

By a time limit or by "swingeing duties" it is indeed possible to ruin a trade, but not to suppress drinking. Moreover, as Sir Thomas Whittaker, M.P., pointed out in January 1907: "It will be useless to reduce the number of public-houses, restrict the hours of sale, and facilitate improved methods of management, if, at the same time, clubs which are frequently little or nothing more than unlicensed public-houses are allowed to spring up in all directions. That is so obvious that it is unnecessary to dwell upon it." Will it promote temperance if drinking facilities are diverted from regulated public-houses into unsupervised clubs, which have increased in number from 6371 in 1904 to 7912 in 1912? Will not the cause of temperance be further retarded by the insecurity of the tenure of licensed premises? Mr Balfour spoke on this question in the House of Commons on June 6, 1904. "Then I take another point, based on what I may call the temperance expediency of this question. Who is

going to take a public-house or enter the trade during the last few years before the time limit expires? You will clearly get into the trade on those terms, and during such a period, the very men whom you do not want: the men who are irresponsible, who do not either themselves possess or cannot command the capital to carry it on, who live from hand to mouth, and who, living from hand to mouth, have no sense of the responsibility which attaches to, and ought to attach to, the conduct of a trade which is carried on under extremely difficult conditions."

The real motive which prompts Radicals to undertake legislation in licensing matters is not a desire to promote temperance—a matter to them of quite secondary importance—but to cripple political opponents. "Every one knows," said Sir Samuel Evans (then Solicitor-General) in the House of Commons on April 29, 1908, "that for years past practically every public-house and every tied house has been used in the interest of one Party."

Vindictive legislation, however, never has

and never will promote the welfare of the community.

(3) It has already been pointed out that until recent times the object of the legislature has been to improve the quality and not to reduce the volume of beer and ale sold. No one, until quite recently, has seriously advocated the total suppression of public-houses as being a policy either expedient or possible. "There is no northern community in the world," Mr Balfour has said, "which has ever consented to abstain wholly from a moderate indulgence in alcoholic liquor, and I doubt if it is possible for us to hope that anything beyond a moderate rate of consumption can ever be established in this country."

The reality of this fact must be borne in mind by all those who desire to gain a clear understanding of the temperance problem. To fail to recognise it is to flounder in a morass from which every attempt at extrication will land the reformer in increasing difficulties. Reformers in these circumstances should aim at improving, not repressing, the liquor traffic. It was the

advent of the teetotal fanatic which prevented the adoption of such a policy by temperance advocates. The prohibitionist has no desire to improve the public-house. To him alcohol is anathema. He holds that the practice of imbibing alcoholic beverages must be summarily suppressed, and he would consider himself a "traitor to the cause" if he were to count the cost. He is a crusader, but his fanaticism has blinded his eyes, and he invariably loses his way and wanders from the path of true temperance reform. The pity of it is that superficial thinkers are, not infrequently, carried away by his fervour, and "make confusion worse confounded." No impartial observer can fail to realise that in recent years the promotion as well as the administration of licensing laws has been inspired by extremists who desire to suppress, and not to improve the character of, public-houses. "The sale of alcoholic liquor is undesirable," insists the teetotal fanatic, "therefore the public-house must be made as uncomfortable as possible." *Hinc illæ lacrimæ!*

When once it is realised that in this

country it is neither practicable nor expedient to prohibit the consumption of alcoholic liquors, reformers, like other people, will come to understand that the right policy must be to improve and not to depreciate the character of licensed premises. Any one conversant with the administration of the licensing laws knows that a publican of to-day can rarely expect to receive either sympathy or conciliatoriness from a licensing bench. Improvements are looked at askance, and may entail the payment of monopoly value. "We do not want your houses improved," a Licensing Justice in the North is reported to have said, "we want to improve them off the face of the earth."

It is illegal to play any game for money or money's worth in a public-house, and playing nine-pins, and skittle pool, and pool on a billiard-table, have all been held illegal. Music is not, indeed, directly prohibited, but woe betide the unfortunate publican who provides musical or literary entertainment for his customers! One can almost hear the remarks of the Chairman of the Bench,

“It is reported to us that a large number of persons frequent your house for the purpose of hearing musical concerts, and that during the performance they are provided with liquor. You had better be careful. We may have to consider the renewal of your licence.” A man may bring his wife but he cannot bring his children into the bar of a public-house. Do not the groups of children sitting or waiting for their parents outside public-houses provide food for thought? Does not the present condition of the public-house amount to a confession that licensing legislation on the present lines has proved a failure? Once admit, and no reasonable man will deny it, that properly supervised public-houses are a necessity, and it follows that a public-house ought to be of such a character that a man can take his wife and children there to his and their mutual enjoyment and advantage. The public-house must be either abolished or improved. If it is inexpedient to abolish it, let it be improved! The present system does neither one thing nor the other.

Mr Balfour, at the Albert Hall on June 25, 1908, expressed himself as follows:—

“I have sometimes doubted whether, in the long series of legislative enactments connected with the sale of alcohol in this country, we have not been on the wrong tack. On the Continent, at all events, you see, and everybody who has been there must rejoice to see, a man and his family going to enjoy music, it may be under cover in the winter, or in the open air in the summer, hearing the band and enjoying nature and art, and accompanying that enjoyment by consumption of lager beer and alcohol, which is rarely, in such circumstances, used to excess. Who but must regret that we see so little of that in this country, and that when a poor man desires—not a rich man—but when a poor man desires to consume alcohol, even in the utmost moderation, you for the most part compel him to go to a house in which you have forbidden, by the police and other regulations, anything to take place except the bare sale of food and drink?”

Now, whenever the reform of existing

institutions is found to be expedient, a policy of reconstruction, if practicable, is more consonant with Conservative principles than a policy of abolition. Let the public-house then be allowed to exist, but let it be reformed and improved!

Upon what lines must true temperance legislation in the future proceed? The first and paramount necessity is to secure sympathetic and impartial licensing justices. The composition of many licensing committees is nothing short of scandalous. It is commonly believed to be an easy task for a judicial officer to act impartially in the execution of his duties. No greater misconception can exist. Judges trained to assist impartially in the administration of justice not infrequently refrain from passing sentence forthwith in cases where their natural feelings may tend to get the better of their judgment. Such diffidence, however, is rarely met with among the laymen who administer the licensing laws. Any Justice who holds shares in a brewery or distillery within the licensing district in question or an adjoining district is disqualified from being a

member of the licensing committee, but any teetotaler, however fanatical, if otherwise qualified, is entitled to sit on a licensing committee. It is for this reason that an increasing number of extremists find their way on to the licensing Bench. Are such men capable or desirous of administering the law judicially? or do they intend on the Bench to work out in practice the principles which they espouse? Surely such persons are not fit to sit as members of a judicial tribunal. No one, indeed, ought to be a judge in his own cause, and the Legislature was of course abundantly justified in providing that Justices who are in any way directly concerned in the management of breweries or distilleries within a licensing district were to be disqualified from acting in licensing matters; but surely it is as unreasonable that Justices should be disqualified from so acting merely because they happen to be shareholders in a brewery or distillery company, as it would be to disqualify Justices from acting in railway cases merely because they happen to hold shares in the particular railway company concerned. Similarly, while

it would be unreasonable to disqualify Justices merely because they hold shares, for instance, in a mineral-water manufactory, it is surely quite obvious that no Justice ought to administer the licensing laws who is either a member of an extreme "temperance" organisation, or who has publicly expressed himself, or is otherwise known to be, a pronounced antagonist of the liquor traffic. Again, legislative effect should be given to proposals similar to those introduced in the House of Lords in 1909 by Lord Lamington, for the purpose of enabling more efficient accommodation to be provided in public-houses for food, games, music, gardens, and other means of respectable recreation; and adequate security of tenure, subject to good behaviour, should be guaranteed to all licensees who are ready and willing to conform to the proposed conditions. Satisfactory legislation on these lines would involve the expenditure of no little thought and consideration, but would it not be an experiment worth trying?

The present system is inequitable in practice and at the same time inimical to

the course of temperance. Can any reasonable man deny that in legislation on the lines suggested may be found the solution of the temperance problem? Such legislation would prove to be just to the publican and advantageous to the cause of temperance.

VIII.

WOMAN SUFFRAGE

“The grant of the Parliamentary franchise to women in this country would be a political mistake of a very disastrous kind.”—MR ASQUITH, December 14, 1911.

WOMAN SUFFRAGE.

THREE general results must flow from the enfranchisement of women: (1) the adoption of adult suffrage; (2) the substitution of women for men as the controlling power in the State; (3) the creation of a permanent body of female electors from whom the franchise once given will never be taken away.

(1) Many people say, "Why should not women who pay rates and taxes have votes?"

The answer is that it cannot be too clearly understood that the grant of the suffrage to women "on the same terms as men" will "enfranchise a small minority of well-to-do single women, . . . it will enfranchise propertied and well-to-do ladies, but it will not touch in any such degree as is neces-

sary the mass of working women" (Sir H. Campbell-Bannerman, March 8, 1907). Is it not quite certain if a million and a half widows and spinsters, drawn mainly from the richer classes, are in this way enfranchised, that married women, and women of the poorer classes, both married and single, will at once demand enfranchisement? On what principle of justice or expediency could such a demand be refused? "We are not going to give votes to your women and not to ours," said an artisan to a canvasser at the last election. Does any suffragist desire to grant the franchise to women of property, and to deny it to the factory hand and the hard-working mothers of the poor? Surely not.

The claim of woman-suffragists was made clear in the House of Commons on July 11, 1910. Mr Shackleton, M.P., mover of the "Conciliation" Bill, said: "He believed in the principle, and as time went on experience would justify the extension. They had to proceed by degrees *to allay the fears* of those who were not yet prepared for adult suffrage." Sir John Rolleston, M.P., seconder

of the Bill, said: "He did not regard the property qualification mentioned in the Bill as *the final settlement*." What can be *the final settlement* of the question of woman suffrage "on equal terms with men" except the adoption of adult suffrage?

(2) If all adults therefore are to be enfranchised, the number of parliamentary electors will be raised approximately from 7,000,000 to 23,000,000, of whom women will form a majority of at least 1,000,000 voters.

Mr Gladstone has stated (April 11, 1892): "The woman's vote carries with it, whether by the same bill or by a consequential bill, the *woman's seat in Parliament*. . . . Capacity to sit in the House of Commons now legally and practically draws in its train capacity to fill every office in the State." Is not this true? How many electors would wish to see women M.P.s, judges, or jurors? What woman is there who, being criminally prosecuted, would prefer to be tried by female jurors? Does any thoughtful person desire the government of the Empire to be in the hands of women rather than of men?

(3) The experience of history proves that, although the franchise has often been extended, when once it has been granted it has never been taken away. In this democratic age would Parliament be able or willing to withdraw any extension of the franchise which has once been given? Surely not. These are three general results flowing from the enfranchisement of women. Who can afford lightly to pass them by?

With these considerations in mind, it is well to scrutinise the main arguments urged in favour of woman suffrage, namely :

(1) That the doctrine of "innate rights" applies, or in other words, that women, as such, are entitled to be parliamentary electors because they are human beings; (2) that taxation without representation is unjust; (3) that women's wages would thereby be increased; (4) that the law would then be made less unjust to women than it now is; (5) that only those who make the law should be compelled to obey the law—or in other words, government should be by consent of the people governed.

(1) *Women have an "innate right" to enfranchisement.*—If by "innate right" to enfranchisement woman-suffragists mean that every man and every woman as such, without any other qualification, is entitled to the franchise, it follows that they believe, among other things, that Universal Suffrage, the government of Great Britain by a majority of female electors, of Cape Colony by a majority of Kaffir women, and of India by the natives, is both just and expedient. Is it? Why should children and aliens and convicts and insane persons be excluded if this contention is sound? If, however, by "innate right" to enfranchisement all that is meant is that women who otherwise possess the necessary qualifications should not be excluded because they are women, then the doctrine that women as such are entitled to enfranchisement becomes meaningless, for woman-suffragists in that case admit that they have still to satisfy the electors that women possess the necessary qualifications for enfranchisement altogether apart from their existence as human beings.

The truth is, that no one has an innate or any *right* to possess the franchise, for "The vote is given on approved public grounds to such citizens as in the opinion of the State are likely to exercise it for the benefit of the whole country" (F. E. Smith, M.P., House of Commons, July 11, 1910). Presumed efficiency and not innate right has always been in this country the test for parliamentary enfranchisement.

(2) *Taxation and representation go together.*—This is a profoundly inaccurate statement, and when used as an argument to support the enfranchisement of women "on the same terms as men" it is grossly misleading. In this country the payment of rates or taxes has never entitled men to enfranchisement. The statute 8 Henry VI. c. 7, which is the foundation upon which the present parliamentary franchise has been built up, makes no mention whatever of the payment of rates or taxes. The fallacy of this argument is further illustrated by remembering that the beneficial owner of property of the statutory value, whether he pays rates or taxes or not, is entitled to the

franchise, and that many lodgers who pay taxes have no vote, while other lodgers who pay neither rates nor taxes are enfranchised. Again, if the payment of *direct rates or taxes* is the sole qualification for the franchise, then those who pay no direct rates or taxes must be disqualified. But an overwhelming proportion of lodgers pay no direct rates or taxes at all. Do woman-suffragists desire to exclude female lodgers from the suffrage? On the other hand, if the payment of direct rates or taxes qualifies for the vote, why are companies—*e.g.*, the L. & N.W. Railway Company—and many minors who pay enormous sums annually in rates and taxes, wholly disqualified? If it is urged that the payment of *indirect taxes* is the qualification for enfranchisement, then every man, woman, and child who buys tea, sugar, cocoa, or any other of the articles of food which are taxed under the present tariff, is entitled to be a parliamentary elector.

The truth is that in this country if a man owns or occupies property under certain conditions, he is usually presumed

to be a person who probably is not unfit to exercise discretion in parliamentary matters, but such ownership or occupation is only evidence of probable efficiency; the test for enfranchisement has always been the same—*i.e.*, presumed efficiency to exercise the public duty imposed.

(3) *Woman suffrage would increase women's wages.*—This argument, which is reiterated in industrial centres, is peculiarly fallacious. It is urged that equal industrial opportunities should be given to women and to men, and that women should not be fettered by the operation of restrictive legislation—*e.g.*, the Factory Acts.

(a) Is it desirable then to repeal the Factory Acts and other statutes which prohibit the employment of women at certain times and under certain conditions—*e.g.*, for a period before and after childbirth? Would the repeal of these statutes be for the benefit of women or of the nation? Is it not obvious that from purely physical causes women's labour cannot usually be either so efficient or so regular as that of men?

(*b*) Even if it were desirable to give women equal industrial opportunities with men, and even if women's work were as valuable as that of men in competitive industrial occupations, the effect of increasing the number of persons competing for industrial employment would surely be to lower and not to increase wages, and for this reason: the price of labour, like the price of the products of industry, is regulated by the law of supply and demand, and not by Act of Parliament: the greater the supply of articles in the market, the cheaper the price; the smaller the supply, the greater the price; and in the same way, if you double the number of persons seeking employment, the result is that wages tend to fall and not to rise. If these economic principles are sound, and if the number of persons seeking industrial employment is largely increased by the addition of many women, will not the result of necessity be that the wages both of men and of women will decrease and not increase? Nay more, men who are primarily the breadwinners of the family would

find it increasingly difficult to earn a livelihood. Who would desire to increase the difficulties of the breadwinners of the poorer classes ?

(c) Industrial workers have improved both their wages and the conditions of their employment by possessing, not the parliamentary suffrage, but the *right of combination*. Women do not require the franchise to enable them to secure the right of collective bargaining, for the Trade Union Acts, 1871-1906, have endowed the members of trade unions not only with the right of combination, but with greater privileges and immunity from legal process than have been conceded to any individuals or any corporate bodies in previous history ; and women are entitled equally with men to claim the rights and privileges which have been conferred on trade unionists by these statutes. It is by combination, and not by parliamentary enfranchisement, that the wages both of women and of men can be increased.

(4) *Women's position under the law would be less unjust than it now is.*—With regard

to the operation and administration of the law of England, the chief complaint of woman-suffragists is that injustice is thereby inflicted, not upon unmarried women, but upon wives and mothers, who do not receive fair treatment or sufficient consideration under the law as it stands to-day (see Mrs Pankhurst, *The Importance of the Vote*, pp. 3, 4).

This charge is without foundation. The experience of legal history demonstrates that whenever a general desire for reform of the law in its relation to women has been brought to the attention of Parliament during the last forty years, Parliament has given it generous consideration, and that women are in fact the favoured darlings of the law. A favourite cry which woman-suffragists, old and young alike, are wont to reiterate, is that women cannot obtain a divorce as easily as men. Is there, however, any desire among women that the marriage tie should be more easily loosened? If there is, then let it be remembered that a Royal Commission, appointed by the advice of men, has re-

ceived evidence from both sexes upon this very question. Again, it is said, "By English law no married woman exists as the mother of the child she brings into the world. In the eyes of the law she is not the parent of her child" (*see Mrs Pankhurst, The Importance of the Vote*, p. 4). How mischievous is such a statement! A father is under a legal obligation to support both his wife and children. After the children have reached a certain age, the father becomes entitled to exercise control over his children, because in the eye of the law he alone is responsible, unless he is a pauper, both for their maintenance and their upbringing; but he will be deprived of all control over them if he is proved to be unworthy to retain the trust imposed in him.

Sir H. H. Cozens Hardy, Master of the Rolls, pointed out on July 30, 1909, that "all the Courts have the fullest power to say that the father has no right to the custody of the child, and to give the custody to the mother." Moreover, the decision of the Court is controlled and

determined by the future welfare of the child itself, and in a well-known case a mother was entrusted with the custody of the children of the marriage, even although she herself had been guilty of marital misconduct.

Women who demand "equality with men before the law" would be well advised to consider what their claim involves. "A century ago a married woman was, generally speaking, as incapable of enjoying rights over property or creating rights by contract as her own infant children. Upon the marriage the husband and wife became one person in law. That one person was the husband. She was the shadow and her husband the substance; he took practically all the property to which she was entitled, and endowed her with just as much or as little as he pleased" (Mr Justice Lush, *A Century of Law Reform*, p. 343). As the husband took the benefit, so he was saddled with the burden of the marriage. The husband was liable to maintain his wife and children, and the wife was *prima facie* entitled to pledge her husband's credit for

“necessaries” for herself or her children. The husband was liable to pay damages in respect of any wrongs which his wife might commit, but the wife was under no such obligation in respect of his wrongdoings; on the contrary, so closely was she protected by the law that if she was prosecuted for committing a criminal offence in the presence of her husband she was *prima facie* entitled to be acquitted, as the law presumed that she was acting under coercion by her husband.

How different is her legal position since the passing of the Married Women’s Property Acts, 1870-1893! “To-day she is the mistress of her own property: she can contract for herself, appoint a guardian, bring and defend actions in her own name, and incur as many debts as she pleases, . . . she can even bring an action against her husband to prevent him entering her house if it belongs to her as her own separate property, or bring an action for damages against him if he publishes a libel about her in carrying on a separate business of her own, although her husband is power-

less to prevent her behaving in a similar manner towards himself" (Mr Justice Lush, *ibid.*, p. 344). She still retains the legal rights and protection above referred to, and if she does not pay her debts (unless she is trading apart from her husband), a married woman cannot be made a bankrupt. In short, while the husband has lost the benefit of the marriage which he formerly enjoyed and yet has in no way been relieved from the burden which he has always borne, the married woman has been accurately described as "the favourite of the law." In these circumstances can any reasonable married woman complain of injustice, or seriously wish to be placed upon an equality with men before the law?

(5) *Government should be by consent of the people governed.*—Now, in this country all persons are compelled to obey the law, and if the argument is sound that all who must obey the law have the right to make the law, it follows that all persons, young and old, rich and poor, Britishers and aliens, good and bad, sane and insane, are entitled to be parliamentary electors. Is

this expedient? It may be that suffragists, faced with the logical result which flows from this doctrine, will shrink from adopting it in its entirety, and will concede that it is inexpedient that *all* persons who live under the law should be entitled to express their assent to legislation before it becomes operative; but in that case the argument comes to nothing, and the all-important question still remains undecided, "What are the qualifications which should entitle a person to express assent to legislation?" Supporters of woman suffrage have to satisfy the electors that it is just and expedient in the interests both of the nation and of women themselves that the franchise should be granted to women. The main arguments adduced to support this claim are those which have been criticised above. Each of these arguments is alike fallacious and misleading, and, when its real meaning is appreciated, affords no justification for so fundamental a change in the Constitution as the enfranchisement of women would effect. The claim to enfranchise-ment which is based on those arguments

will therefore fail through its inherent weakness.

It is well, nevertheless, to enumerate some of the positive *objections to woman suffrage* in its effect upon (1) women ; (2) the nation.

(1) *Its effect upon Women*.—Opponents of woman suffrage do not assert that women are inferior to men ; indeed, in some respects women possess superior and more desirable characteristics ; nor do they believe that the interests of women are in any way in conflict with those of men. They do not suggest that there may not exist some women who are capable of exercising in an efficient manner the parliamentary franchise, and at the same time they admit that there are some men who certainly are unfit for enfranchisement. But in considering whether woman suffrage would be desirable or not the problem (like other political reforms) must be viewed broadly, and regard must be paid to the qualifications, not of exceptional women, but of women as a whole.

(a) Now, for obvious reasons Nature has assigned to men the duty of providing

sustenance for the family, and to women the administration of the home. The functions of women and of men are not in any way antagonistic, for the one is the complement of the other. At the same time each function engenders different qualities, the breadwinner acquiring virility, strength of body, the power to fight in competition with other breadwinners, to compromise when further resistance is inexpedient, and generally those "business" qualities which give him understanding in commercial and political matters; the woman in her domestic and maternal occupations becoming gentle, sympathetic, more anxious to store up energy and strength than to expend it, less independent in thought and action, more easily swayed by sentiment, seeking after ideals, quick in intuition, yet impatient of compromise — qualities valuable in a mother but dangerous in a politician; and it must also be remembered that due performance of duty in either sphere of occupation leaves neither time nor opportunity for acquiring efficiency in the other. It is, generally speaking, as unreasonable to ex-

pect to find political discretion in women, as to expect men to be proficient in making a pudding or feeding a baby. Is it wise to endeavour to change the fundamental laws of nature?

(*b*) Moreover, the indirect political power of women has always been very great. As a mother, a woman can shape her son's character during the most impressionable years of his life; as wife and sister she can influence the whole setting of a man's social and political life; and let it not be forgotten that this characteristic influence of women over the lives of men has been exercised, not by women who have sought to become more like men, but by those who were most truly womanly. What man is there (or, indeed, what woman) who is not conscious of this fact? And there is a natural reason that this should be so. A man believes that a woman's point of view is ideal rather than practical, not created by contact with the outer world, caring for the end more than for the means by which the end is to be gained; being, above all, the result of a moral atmosphere untainted by the shifts

and exigencies of party politics. Is not this belief well founded? Is not a woman's point of view the natural outcome of the performance of her womanly functions? And is it not natural that by contact with it a man's moral attitude towards society and politics should be profoundly affected?

It has been well said that it is more important that a woman should possess a voter than a vote! "I have no fear," wrote Mr Gladstone, "lest the woman should encroach upon the power of the man. The fear I have is lest we should invite her unwittingly to trespass upon the delicacy, the purity, the refinement, the elevation of her own nature, which are the present sources of its power." The moral influence of women is a potent force in political life just because those who exert it stand outside the arena of party politics; and to force women to take part in active political life would be to weaken, if not to corrupt, that beneficent moral influence. Is this desirable in the interests either of men or of women?

(c) Women for well-known physical causes cannot, outside their natural sphere, compete

successfully with men on equal terms, and it is because women are in their physical nature weaker than men that in the past men have voluntarily extended to women chivalrous protection. Would not the repeal of restrictive legislation and the grant to women of social and industrial equality with men tend to dim the spirit of chivalry without in any way improving, as has been already shown, the social or industrial condition of women? Who that reads the signs of the times can doubt it?

(2) *Its effect upon the Nation.* — (a) Women, being idealists, are no friends of compromise; by temperament they seek the attainment of the best, they are not content with the second best; their minds are attuned to see one thing at a time rather than many things in relation to each other, and in consequence of this they concentrate their efforts to attain the particular object which at the moment is uppermost in their thoughts, without due regard to the general interests of the community. Are not militant suffragists willing to break the law in order that they may be in a position to

make the law? The lack of a due sense of proportion, which is generally characteristic of women, would seriously jeopardise the stability of the electorate if women in large numbers were to be admitted to the parliamentary franchise; because compromise is the very essence of successful parliamentary action, and useful measures of reform are carried through Parliament by those alone who exercise discretion and forbearance, and are prepared to make terms with their enemies in the gate.

It is suggested, and with truth, that the judgment of many male electors is warped and unstable, and that the electorate in its present form frequently is swayed by appeals to sentiment and passion. Let it be granted that this is so. Does it follow that it is expedient in the interests of the nation to multiply the number of emotional and unstable voters? Surely in these circumstances the exact contrary would be the reasonable inference to draw.

(*b*) All government ultimately rests on physical force; a Government is strong or weak just in proportion to the power which

it possesses to enforce the administration of law. A candidate for Parliament who has received the greatest number of votes in a division is deemed to be duly elected because it is believed that in the last resort his supporters by physical force could enforce their will upon his opponents. Now, although in modern times and among civilised communities the mailed fist is sometimes hidden under the velvet glove, this fundamental principle of government is and must remain unalterable; nay, more, the recent methods of militant suffragists, the railway strike in France, and the revolution in Portugal, illustrate the high value which is placed in these days upon the appeal to physical force. If a large or a preponderating number of women were added to the electorate, it might frequently happen that the supporter of a candidate or of a ministry, victorious at the polls, would not possess the physical force necessary in the last resort to enforce its will upon the unsuccessful minority, or at any rate would not be generally believed to possess physical predominance in the country. In either case

the same result would follow, namely, the government of the country would lose its fundamental sanction, and an inherent weakness would be grafted upon the Constitution. Would not the enfranchisement of women, therefore, tend to hinder the peaceful administration of the law at home, and lessen the prestige of Great Britain in the estimation of India, the Dominions, and foreign nations?

Again, "National defence rests upon arms . . . considerably over a third of our national expenditure goes to their provision and maintenance . . . public security relies upon the police . . . our daily bread depends upon the mercantile marine . . . the great industries of the nations and the world depend on men's work: the great organising and administrative departments of human activity are under the control of men" (Sir Hugh Bell, July 12, 1910). Now, in none of these national functions can women effectively take any part; for even "the voteless lady with a gardener" must enlist the assistance of the gardener to eject the tramp who has invaded her garden. It is

indeed true that some men cannot fight, and—as recent events have demonstrated—that some women undoubtedly can; but who will deny that men as a whole are capable, and that women as a whole are by nature debarred from performing these “ultimate obligations of citizenship”? Is it not obvious, in the interests of national security, that only those persons should make the laws who can enforce the laws?

(c) “There has never within my knowledge been a case in which the franchise has been extended to a large body of persons generally indifferent about receiving it. But here, in addition to a widespread indifference, there is on the part of large numbers of women who have considered the matter for themselves the most positive objection and strong disapprobation” (Mr Gladstone, April 11, 1892). Are not these words abundantly true to-day? Who can affirm that a preponderating or even an appreciable number of women are in favour of this “fundamental change in their whole social function”?

The result of the canvasses, and the various petitions which have been presented

to Parliament in opposition to woman suffrage, afford striking evidence that women as a whole are not in favour of parliamentary responsibilities being thrust upon them; indeed, it needs no statistical proof to demonstrate that women to-day, speaking generally, are both unversed in and indifferent to political affairs. This is a proposition which no one would venture to combat, and woman-suffragists do not seek to persuade the electors that women are to-day interested in politics, but rather that indifference and apathy will disappear when once the franchise has been granted. Will this be so?

Upon what does the attitude of women towards politics depend? "Not certainly . . . upon anything so external and artificial as the possession or non-possession of a particular kind of vote, but on something far deeper and more abiding,—it depends upon the fact that for the normal woman, living the normal woman's life, some fifteen years of it are taken up in child-bearing and child-rearing. During that time the thoughts of a normal woman are turned inwards and concentrated on her home, her

family, her own health and the physical needs of children" (Mrs Humphry Ward, July 11, 1910), for during this period her thoughts are set upon harmonies and not discords, and upon her own affairs rather than those of other people. Are not these facts incontrovertible? And yet it must be remembered that it is during these years (speaking approximately, between the ages of twenty and thirty-five) that the experience and information which are vital to the efficient exercise of political duties are usually acquired. If, therefore, women as a whole are in the future to become efficient politicians, their political experience will only be gained by their neglect of womanly functions. If, however, the constitutional apathy of women to political interests remains unchanged, how could the adoption of woman suffrage fail to imperil the best interests of the State?

In conclusion, it must always be remembered that "no precedent exists for giving women as a class an active share in the government of a great nation, and that only after anxious consideration of

the principles involved ought Great Britain, with her vast national and imperial obligations, to be committed to this irrevocable step."

How can the supporters of woman suffrage justify the claim which they put forward? By proving not only that women are capable of dropping a voting paper in the ballot-box, but also that women are fitted to perform their duties as electors with discretion and understanding.

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more manly and women more womanly. Will the grant of woman suffrage promote or hinder this national object?

The purpose of this chapter is to demonstrate that the true solution of the problem relating to the proposed enfranchisement of women will be found, not by those who delight in casuistry, nor by those whose political principles are made subservient to the interests of party politics, but by those alone who appreciate the significant working of the laws of nature. Who that reads those laws aright can fail strenuously to oppose the enfranchisement of women?

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